IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

BARBARA KING, individually and on behalf of the class defined herein,)))
Plaintiff,) Case No. 08 CV 3306) Judge Amy J. St. Eve
VS.) Magistrate Judge Cox
RESURGENCE FINANCIAL, LLC,)
Defendant.)

PLAINTIFF'S PRELIMINARY MOTION FOR CLASS CERTIFICATION

Plaintiff respectfully requests that this Court enter an order determining that this Fair Debt Collection Practices Act ("FDCPA") action may proceed as a class action against defendant Resurgence Financial, LLC ("Resurgence"). Plaintiff defines the class as (a) all individuals (b) against whom defendant Resurgence Financial, LLC filed a collection lawsuit (c) in Illinois (d) subsequent to January 1, 2008, (e) without attaching to the complaint an assignment that complied with §8b of the ICAA.

Plaintiff further requests that Edelman, Combs, Latturner & Goodwin, LLC be appointed counsel for the class.

In support of this motion, plaintiff states as follows:

NATURE OF THE CASE

- 1. There is a substantial problem with debt buyers suing on debts that they do not own and have no right to sue on.
- 2. There are multiple reported cases in which debtors have been subjected to litigation because they "settled" with A and then B claimed to own the debt. Smith v. Mallick, 514 F.3d 48 (D.C. Cir. 2008) (commercial debt purchased and resold by debt buyer, debt buyer [possibly fraudulently] settles debt it no longer owns, settlement held binding because notice of assignment not given, but obligor subjected to litigation as result). See also, Miller v. Wolpoff & Abramson,

<u>LLP</u>, 1:06-CV-207-TS, 2008 U.S. Dist. LEXIS 12283 (N.D. Ind., Feb. 19, 2008), where a debtor complained he had been sued twice on the same debt; <u>Dornhecker v. Ameritech Corp.</u>, 99 F. Supp. 2d 918, 923 (N.D. Ill. 2000), where the debtor claimed he settled with one agency and was then dunned by a second for the same debt, and <u>Northwest Diversified</u>, Inc. v. Desai, 353 Ill.App.3d 378, 818 N.E.2d 753 (1st Dist. 2004), where a commercial debtor paid the creditor only to be subjected to a levy by a purported debt buyer.

- 3. In <u>Wood v. M&J Recovery LLC</u>, CV 05-5564, 2007 U.S. Dist. LEXIS 24157 (E.D. N.Y., Apr. 2, 2007), a debtor complained of multiple collection efforts by various debt buyers and collectors on the same debt, and the defendants asserted claims against one another disputing the ownership of the portfolio involved. Shekinah alleged that it sold a portfolio to NLRS, that NLRS was unable to pay, that the sale agreement was modified so that NLRS would only obtain 1/5 of the portfolio, and that the 1/5 did not include the plaintiff's debt. Portfolio claimed that it and not Shekinah is the rightful owner of the portfolio.
- 4. In <u>Associates Financial Services Co. v. Bowman, Heintz, Boscia & Vician, P.C.</u>, IP 99-1725-C-M/S, 2001 U.S. Dist. LEXIS 7874, *9-12 (S.D. Ind., Apr. 25, 2001), later opinion, 2004 U.S. Dist. LEXIS 6520 (S.D. Ind., Mar. 31, 2004), allegations were made that a creditor had continued to collect accounts allegedly sold to a debt buyer.
- 5. Courts have also dismissed numerous collection and foreclosure lawsuits filed in the names of entities that did not own the purported debts. In re Foreclosure Cases, 1:07CV2282 and 14 others, 2007 U.S. Dist. LEXIS 84011, 2007 WL 3232430 (N.D. Ohio, Oct. 31, 2007); In re Foreclosure Cases, 07-cv-166 and 18 others, 2007 U.S. Dist. LEXIS 90812 (S.D. Ohio, Nov. 27, 2007); In re Foreclosure Cases, 521 F. Supp. 2d 650 (S.D. Ohio 2007); In re Foreclosure Cases, 07-cv-166 and 14 others, 2007 U.S. Dist. LEXIS 95673 (S.D. Ohio, Dec. 27, 2007); NovaStar Mortgage, Inc. v. Riley, 3:07-CV-397, 2007 U.S. Dist. LEXIS 86216 (S.D. Ohio, Nov. 21, 2007); NovaStar Mortgage, Inc. v. Grooms, 3:07-CV-395, 2007 U.S. Dist. LEXIS 86214 (S.D. Ohio, Nov. 21, 2007); HSBC Bank USA v. Rayford, 3:07-CV-428, 2007 U.S. Dist. LEXIS 86215 (S.D. Ohio,

An article that appeared in the trade press shortly before the extension of 6. the Illinois Collection Agency Act to debt buyers stated:

> More collection agencies are turning to the debt resale market as a place to pick up accounts to collect on. Too small to buy portfolios directly from major credit issuers. they look to the secondary market where portfolios are resold in smaller chunks that they can handle.

> But what they sometimes find in the secondary market are horror stories: The same portfolio is sold to multiple buyers; the seller doesn't actually own the portfolio put up for sale; half the accounts are out of statute; accounts are rife with erroneous information; access to documentation is limited or nonexistent....

Corinna C. Petry, Do Your Homework; Dangers often lay hidden in secondary market debt portfolio offerings. Here are lessons from the market pros that novices can use to avoid nasty surprises, Collections & Credit Risk, March 2007, pg. 24 Vol. 12 No. 3.

7. Debt buyer American Acceptance file a lawsuit alleging that a broker of charged-off debts sold it debts to which it did not have title. American Acceptance Co. v. Goldberg, 2:08cv9 (N.D. Ind.). Another debt buyer, Hudson & Keyse, filed suit alleging that the same debt broker obtained information about consumer debts owned by Hudson & Keyse and used the information to try to collect the debts for its own account, even though it didn't own them. <u>Hudson</u> & Keyse, LLC v. Goldberg & Associates, LLC, 07-81047-civ (S.D. Fla., filed Nov. 5, 2007). A similar suit, alleging that the broker resold accounts it did not own, was filed by Old National Bank, Old National Bank v. Goldberg & Associates, 9:08-cv-80078-DMM (S.D. Fla., Jan. 24, 2008). The same debt broker is accused in another complaint of selling 6,521 accounts totaling about \$40 million face value which it did not own. RMB Holdings, LLC v. Goldberg & Associates, LLC, 3:07-cv-00406 (E.D. Tenn., filed Oct. 29, 2007). Other debt buyers have voiced similar complaints. "Florida Broker Faces Multiple Lawsuits," Collections & Credit Risk, April 2008, p. 8.

- 8. In a related abuse, debt buyers would "purchase" debts with minimal information about the debtor and then try to "collect" them from anyone with a similar name. In 2004, the Federal Trade Commission shut down a debt buyer called CAMCO headquartered in Illinois. The following is from a press release issued by the FTC in connection with that case:
 - ... In papers filed with the court, the agency charged that as much as 80 percent of the money CAMCO collects comes from consumers who never owed the original debt in the first place. Many consumers pay the money to get CAMCO to stop threatening and harassing them, their families, their friends, and their co-workers.

According to the FTC, CAMCO buys old debt lists that frequently contain no documentation about the original debt and in many cases no Social Security Number for the original debtor. CAMCO makes efforts to find people with the same name in the same geographic area and tries to collect the debt from them – whether or not they are the actual debtor. In papers filed with the court, the FTC alleges that CAMCO agents told consumers – even consumers who never owed the money – that they were legally obligated to pay. They told consumers that if they did not pay, CAMCO could have them arrested and jailed, seize their property, garnish their wages, and ruin their credit. All of those threats were false, according to the FTC.... (http://www.ftc.gov/opa/2004/12/camco.htm).

- 9. In order to protect Illinois residents against this sort of abuse, the Illinois Collection Agency Act ("ICAA") was amended effective January 1, 2008 to define debt buyers as "collection agencies." This makes applicable the special assignment requirements in ICAA §8b, 225 ILCS 425/8b. Illinois courts had held prior to the amendment that a party that was required to but did not have such an assignment does not have a valid claim and that the defendant in such a case is entitled to judgment. Business Service Bureau, Inc. v. Webster, 298 Ill. App. 3d 257; 698 N.E.2d 702 (4th Dist. 1998).
 - 10. Section 8b of the ICAA provides:

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- Sec. 8b. An account may be assigned to a collection agency for collection with title passing to the collection agency to enable collection of the account in the agency's name as assignee for the creditor provided:
 - (a) The assignment is manifested by a written agreement, separate from and in addition to any document intended for the purpose of listing a debt with a collection agency. The document manifesting the assignment shall specifically state and include:
 - (i) the effective date of the assignment; and
 - (ii) the consideration for the assignment.
 - (b) The consideration for the assignment may be paid or given either before or after the effective date of the assignment. The consideration may be contingent upon the settlement or outcome of litigation and if the claim being assigned has been listed with the collection agency as an account for collection, the consideration for assignment may be the same as the fee for collection.
 - (c) All assignments shall be voluntary and properly executed and acknowledged by the corporate authority or individual transferring title to the collection agency before any action can be taken in the name of the collection agency.
 - (d) No assignment shall be required by any agreement to list a debt with a collection agency as an account for collection.
 - (e) No litigation shall commence in the name of the licensee as plaintiff unless: (i) there is an assignment of the account that satisfies the requirements of this Section and (ii) the licensee is represented by a licensed attorney at law....
- 11. Furthermore, the assignment must be attached to the complaint. Candice Co. v. Ricketts, 281 Ill.App.3d 359, 362, 666 N.E.2d 722 (1st Dist. 1996).
- 12. Finally, the assignee is required "in his or her pleading on oath allege that he or she is the actual bona fide owner thereof, and set forth how and when he or she acquired title...." 735 ILCS 5/2-403(a).
- 13. Defendant Resurgence, a debt buyer regulated by the ICAA since January 1, 2008, systematically files collection lawsuits without compliance with ICAA §8b and, therefore, without valid claims.
- 14. Plaintiff complains that such practice violates both the Fair Debt Collection Practices Act, 15 U.S.C. §§1692e and 1692f, and ICAA §9. Plaintiff alleges that the filing of

lawsuits without legally-sufficient title to the debts sued upon is a "false, deceptive, or misleading representation or means in connection with the collection of any debt" (15 U.S.C. §1692e), a "false representation of ... (A) the character, amount, or legal status of any debt" (15 U.S.C. §1692e(2)), a "threat to take any action that cannot legally be taken" (15 U.S.C. §1692e(5)), and "the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer" (15 U.S.C. §1692e(10)), as well as an unfair practice, in violation of 15 U.S.C. §1692f. Plaintiff further contends that defendant violated 225 ILCS 425/8b by filing suit without an assignment in the form specified therein and "[a]ttempt[ed] or threaten[ed] to enforce a right or remedy with knowledge or reason to know that the right or remedy does not exist...." 225 ILCS 425/9. Finally, plaintiff contends that the same conduct constitutes an unfair practice within the meaning of the Illinois Consumer Fraud Act, 815 ILCS 505/2.

CLASS CERTIFICATION REQUIREMENTS

- All requirements of Rules 23(a) and (b)(3) of the Federal Rules of Civil 15. Procedure have been met.
- 16. It is reasonable to infer from the following facts that the number of class members exceeds the approximately 40 required for certification.
- a. This action complains of a standard practice used by defendant. Defendant uses form complaints and never has the required assignment attached;
- b. Defendant has filed, since January 1, 2008, more than 500 lawsuits against residents of Illinois. Appendix A is a printout of the Cook County Circuit Court listing of its filings. Other cases have been filed in other counties.
- 17. Plaintiff will obtain the exact number of class members through discovery, and requests a briefing schedule long enough to obtain such information.
- 18. There are questions of law and fact common to the class, which questions predominate over any questions affecting only individual class members. The primary question is whether defendant's practice violates the FDCPA, ICAA, and the Illinois Consumer Fraud Act.

- 19. Plaintiff's claim is typical of the claims of the class members. All are based on the same factual and legal theories.
- 20. Plaintiff will fairly and adequately represent the interests of the class members. Plaintiff has retained counsel experienced in consumer credit and debt collection abuse cases. (Appendix B).
- 21. A class action is superior to other alternative methods of adjudicating this dispute, in that:
- Congress specifically contemplated FDCPA class actions as a a. principal means of enforcing the statute;
- b. A class action is necessary to determine that defendant's conduct is a violation of law and bring about its cessation.
- 22. In further support of this motion, plaintiff submits the accompanying memorandum of law.
- 23. Plaintiff is filing a class certification motion at this time because of the decision in White v. Humana Health Plan, Inc., 06 C 5546, 2007 U.S. Dist. LEXIS 32263 (N.D. Ill., May 2, 2007).

WHEREFORE, plaintiff respectfully requests that this Court enter an order determining that this action may proceed as a class action.

Respectfully submitted,

s/ Daniel A. Edelman Daniel A. Edelman

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LIST OF APPENDICES

- A Search of lawsuits filed by Resurgence Financial, LLC in Cook County Circuit Court since January 1, 2008.
- B Declaration of Daniel A. Edelman.

CERTIFICATE OF SERVICE

I, Daniel A. Edelman, hereby certify that on June 16, 2008, the foregoing document was filed electronically using the Court's CM/ECF system. A copy of the foregoing document was served on the following via hand delivery:

RESURGENCE FINANCIAL, LLC c/o Nathan M. Grossman, Registered Agent 20 S. Clark Street, Suite 1650 Chicago, IL 60603

s/ Daniel A. Edelman
Daniel A. Edelman

Daniel A. Edelman Cathleen M. Combs James O. Latturner Cassandra P. Miller EDELMAN, COMBS, LATTURNER & GOODWIN, LLC 120 S. LaSalle Street, Suite 1800 Chicago, Illinois 60603 (312) 739-4200 (312) 419-0379 (FAX)

APPENDIX A



Division: Civil Click on Case Number for Case Information Summary

Name Search Results for: RESURGENCE

<u>Case Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	Date Filed
2008-M1-143156	RESURGENCE FINANCI	ORR MARGAUX A	05/27/2008
2008-M1-143157	RESURGENCE FINANCI	RODRIGUES ANDERSON	05/27/2008
2008-M1-143158	RESURGENCE FINANCI	JOHNSON KENYETTA L	05/27/2008
2008-M1-143159	RESURGENCE FINANCI	TREVINO ANDREA	05/27/2008
2008-M1-143160	RESURGENCE FIANNCI	VEGA NELSON A SR	05/27/2008
2008-M1-143161	RESURGENCE FINANCI	CARRASQUILLO JESSI	05/27/2008
2008-M1-143162	RESURGENCE FINANCI	MAGANA ANGELICA L	05/27/2008
2008-M1-143163	RESURGENCE FINANCI	CLAY MARK	05/27/2008
2008-M1-143164	RESURGENCE FINANCI	LISOVSKIS DENISS	05/27/2008
2008-M1-143165	RESURGENCE FINANCI	LOPER TEEMEKA J	05/27/2008
2008-M1-143166	RESURGENCE FINANCI	AXIBAL ERIKA S	05/27/2008
2008-M1-143167	RESURGENCE FINANCI	OMENAZU JESSE C	05/27/2008
2008-M1-143168	RESURGENCE FINANCI	YAMBO EDWIN	05/27/2008
2008-M1-143169	RESURGENCE FINANCI	VENANCIO ANTONIO	05/27/2008
2008-M1-143170	RESURGENCE FINANCI	TORRES MARIA LUISA	05/27/2008
2008-M1-143171	RESURGENCE FINANCI	VAUGHN HILARY J	05/27/2008
2008-M1-143172	RESURGENCE FINANCI	PEHLIC DELDINA	05/27/2008
2008-M1-143173	RESURGENCE FINANCI	GLOVER SHAVON T	05/27/2008
2008-M1-143174	RESURGENCE FINANCI	JOHNSON LATRICA	05/27/2008
2008-M1-143175	RESURGENCE FINANCI	IBRAHIM DAVID N II	05/27/2008
2008-M1-143176	RESURGENCE FINANCI	SANTOYO JUAN D	05/27/2008
2008-M1-143177	RESURGENCE FINANCI	BENJAMIN AARON D	05/27/2008
2008-M1-143178	RESURGENCE FINANCI	TAKANASHI MASAHIKO	05/27/2008
2008-M1-143179	RESURGENCE FINANCI	COLANDREA BETH	05/27/2008
2008-M1-143180	RESURGENCE FINANCI	ROBINSON DANTE J	05/27/2008

2008-M1-142540	RESURGENCE FINANCI	BALAKRISHNAN CHAND	05/23/2008
2008-M1-142541	RESURGENCE FINANCI	IVANOVA MARINA P	05/23/2008
2008-M1-142542	RESURGENCE FINANCI	BARNES HARRIET	05/23/2008
2008-M1-142543	RESURGENCE FINANCI	WASHINGTON ANTWAN	05/23/2008
2008-M1-142544	RESURGENCE FINANCI	MILLS BRANDON	05/23/2008
2008-M1-142545	RESURGENCE FINANCI	COLON MARIBEL	05/23/2008
2008-M1-142546	RESURGENCE FINANCI	DARDEN CORNEL JR	05/23/2008
2008-M1-142547	RESURGENCE FINANCI	POKLADEK ADAM	05/23/2008
2008-M1-142548	RESURGENCE FINANCI	CONTRERAS JAMIE A	05/23/2008
2008-M1-142549	RESURGENCE FINANCI	BEASLEY BOBBIE J	05/23/2008
2008-M1-142550	RESURGENCE FINANCI	MOORE TIMOTHY J	05/23/2008
2008-M1-142551	RESURGENCE FINANCI	JOHNSON MAZIE R	05/23/2008
2008-M1-142552	RESURGENCE FINANCI	MCCARTY CHRISTOPHE	05/23/2008
2008-M1-142553	RESURGENCE FINANCI	MCMILLIAN MONICA S	05/23/2008
2008-M1-142554	RESURGENCE FINANCI	WHITE ANNA M	05/23/2008
2008-M1-142555	RESURGENCE FINANCI	GOMEZ NATALI	05/23/2008
2008-M1-142556	RESURGENCE FINANCI	LEON MARISOL	05/23/2008
2008-M1-142557	RESURGENCE FINANCI	SMITH GENSAN K	05/23/200
2008-M1-142558	RESURGENCE FINANCI	DEAGUILAR CARMEN I	05/23/200
2008-M1-142559	RESURGENCE FINANCI	GAMBINA JOSEPH R	05/23/200
2008-M1-142560	RESURGENCE FINANCI	JOHNSON PATTY D	05/23/200
2008-M1-142561	RESURGENCE FINANCI	HARRIS ALEXANDER B	05/23/200
2008-M1-142562	RESURGENCE FINANCI	JEON KUM C	05/23/200
2008-M1-142563	RESURGENCE FINANCI	CAVALIER ROBERT L	05/23/200
2008-M1-142564	RESURGENCE FINANCI	WALSH ELIZABETH A	05/23/2008
2008-M1-142672	RESURGENCE FINANCI	GRIMES NATASHA M	05/23/200
2008-M1-142673	RESURGENCE FINANCI	SOTO BEATRIZ	05/23/2008
2008-M1-142674	RESURGENCE FINANCI	MUNOZ MAYZELLE F	05/23/200
2008-M1-142675	RESURGENCE FINANCI	HUSAIN SHEILA N	05/23/200
2008-M1-142676	RESURGENCE FINANCI	ANDINO JUAN J	05/23/200
2008-M1-142678	RESURGENCE FINANCI	JACKSON JARVIS D	05/23/200
2008-M1-142679	RESURGENCE FINANCI	HARPER CARA L	05/23/2008
2008-M1-142680	RESURGENCE FINANCI	ELY IVORY	05/23/2008
2008-M1-142681	RESURGENCE FINANCI	SMITH KEVONE L	05/23/2008
2008-M1-142682	RESURGENCE FINANCI	JENSEN STEPHEN SR	05/23/200
2008-M1-142683	RESURGENCE FINANCI	JONES CHARLES M JR	05/23/2008
2008-M1-142684	RESURGENCE FINANCI	MARTINEZ JESSICA	05/23/2008

2008-M1-142685	RESURGENCE FINANCI	RAFF EDWIN	05/23/2008
2008-M1-142686	RESURGENCE FINANCI	DEJANOVICH NICHOLA	05/23/2008
2008-M1-142687	RESURGENCE FINANCI	STUCKEY MAURICE L	05/23/2008
2008-M1-142688	RESURGENCE FINANCI	JOHNSON DOLORES A	05/23/2008
2008-M1-142689	RESURGENCE FINANCI	MATTHEWS AVERY A	05/23/2008
2008-M1-142690	RESURGENCE FINANCI	BRATKO AGNIESZKA A	05/23/2008
2008-M1-142691	RESURGENCE FINANCI	ABDELMUTI TAGREED	05/23/2008
2008-M1-142692	RESURGENCE FINANCI	TRIPLETT TAMMY J	05/23/2008
2008-M1-142694	RESURGENCE FINANCI	ALSHUMMARY MAHMUD	05/23/2008
2008-M1-142695	RESURGENCE FINANCI	AHMADI NIAZ MOHAMM	05/23/2008
2008-M1-142696	RESURGENCE FINANCI	MACK SHERRIE A	05/23/2008
2008-M1-142697	RESURGENCE FINANCI	LEMA MARTHA	05/23/2008
2008-M1-142698	RESURGENCE FINANCI	WENDEL MICHELLE M	05/23/2008
2008-M1-142699	RESURGENCE FINANCI	GOODWIN RYAN T	05/23/2008
2008-M1-142700	RESURGENCE FINANCI	OSTIAN FRANCIS L	05/23/2008
2008-M1-142702	RESURGENCE FINANCI	BASKIN KENYATTA	05/23/2008
2008-M1-142703	RESURGENCE FINANCI	JACKSON MARCELLUS	05/23/2008
2008-M1-142704	RESURGENCE FINANCI	FLORES RAMIRO	05/23/200
2008-M1-142705	RESURGENCE FINANCI	MILINE JENNIFER D	05/23/200
2008-M1-142706	RESURGENCE FINANCI	CAVOUR RAFAEL FREI	05/23/2008
2008-M1-142707	RESURGENCE FINANCI	ARSEVEN ONDER	05/23/200
2008-M1-142708	RESURGENCE FINANCI	HICKS COURTNEY A	05/23/200
2008-M1-142709	RESURGENCE FINANCI	BARBA STEPHEN ERIC	05/23/2008
2008-M1-142710	RESURGENCE FINANCI	MOHAMMED AMAL M II	05/23/200
2008-M1-142711	RESURGENCE FINANCI	TORANZO DOINITA M	05/23/2008
2008-M1-142712	RESURGENCE FINANCI	ATKINS ROSALEE	05/23/2008
2008-M1-142713	RESURGENCE FINANCI	WORTHY TURWAYNE	05/23/2008
2008-M1-142714	RESURGENCE FINANCI	HOWARD JESSE C	05/23/2008
2008-M1-142715	RESURGENCE FINANCI	SIMMONS KURT R	05/23/2008
2008-M1-142716	RESURGENCE FINANCI	RAMADANI VALBONA S	05/23/2008
2008-M1-142717	RESURGENCE FINANCI	PALOMO HUGO R	05/23/2008
2008-M1-142718	RESURGENCE FINANCI	RAZOTE FLORDELIZA	05/23/2008
2008-M1-142719	RESURGENCE FINANCI	CALDWELL JANET W	05/23/2008
2008-M1-142720	RESURGENCE FINANCI	ABU-KAWOD MOHAMED	05/23/2008
2008-M1-142721	RESURGENCE FINANCI	ROSEN SAM	05/23/2008
2008-M1-142133	RESURGENCE FINANCI	TUTU TONY	05/22/2008
2008-M1-142136	RESURGENCE FINANCI	PATINDOL ALBERTO C	05/22/2008

2008-M1-142137	RESURGENCE FINANCI	DILLON ANGELA L	05/22/2008
2008-M1-142138	RESURGENCE FINANCI	MURPHY JAMES R	05/22/2008
2008-M1-142139	RESURGENCE FINANCI	ALSHANYOUR ZARIFEH	05/22/2008
2008-M1-142140	RESURGENCE FINANCI	YUEN LEYMON	05/22/2008
2008-M1-142141	RESURGENCE FINANCI	CHODOR RITA E	05/22/2008
2008-M1-142142	RESURGENCE FINANCI	RUIZ ZAIDA L	05/22/2008
2008-M1-142143	RESURGENCE FINANCI	WANG XIANG R	05/22/2008
2008-M1-142144	RESURGENCE FINANCI	TUNWARUCKIT WARUT	05/22/2008
2008-M1-142145	RESURGENCE FINANCI	SHEPLEY JOHN S	05/22/2008
2008-M1-142146	RESURGENCE FINANCI	JOHNSON JEDIDAH O	05/22/2008
2008-M1-142148	RESURGENCE FINANCI	ORTIZ HUGO	05/22/2008
2008-M1-142149	RESURGENCE FINANCI	SOTELO ELIAS	05/22/2008
2008-M1-142150	RESURGENCE FINANCI	MORGAN DAVID S	05/22/2008
2008-M1-142151	RESURGENCE FINANCI	TAYEB LUTFIM M JR	05/22/2008
2008-M1-142152	RESURGENCE FINANCI	RUPP PAUL	05/22/2008
2008-M1-142153	RESURGENCE FINANCI	PERLONGO FRANK P	05/22/2008
2008-M1-142154	RESURGENCE FINANCI	MITCHELL LILLIE L	05/22/2008
2008-M1-142155	RESURGENCE FINANCI	LUANGVIJA CHANTHIV	05/22/2008
2008-M1-142156	RESURGENCE FINANCI	BULTEMA XOCHITL	05/22/2008
2008-M1-142157	RESURGENCE FINANCI	CAMPBELL SCOTT I	05/22/2008
2008-M1-142158	RESURGENCE FINANCI	WAI WILLIAM	05/22/2008
2008-M1-142159	RESURGENCE FINANCI	WILLINGHAM PRISCIL	05/22/2008
2008-M1-142160	RESURGENCE FINANCI	ZASTRO MARGARET M	05/22/2008
2008-M1-142170	RESURGENCE FINANCI	MOODY LENARD B	05/22/2008
2008-M1-142173	RESURGENCE FINANCI	RODRIGUEZ MARIA	05/22/2008
2008-M1-142176	RESURGENCE FINANCI	SIMS LATOIYA P	05/22/2008
2008-M1-142179	RESURGENCE FINANCI	DENG CHUNMEI	05/22/2008
2008-M1-142182	RESURGENCE FINANCI	JERRY LANICE K	05/22/2008
2008-M1-142184	RESURGENCE FINANCI	GEORGE SHANONE L	05/22/2008
2008-M1-142186	RESURGENCE FINANCI	BOLDEN VALERIE C	05/22/2008
2008-M1-142189	RESURGENCE FINANCI	SERRANO GEORGE L	05/22/2008
2008-M1-142191	RESURGENCE FINANCI	COSME SANTOS JR	05/22/2008
2008-M1-142195	RESURGENCE FINANCI	RUBIN LARRY BRUCE	05/22/2008
2008-M1-142197	RESURGENCE FINANCI	JOHNSON PATRICIA	05/22/2008
2008-M1-142199	RESURGENCE FINANCI	JACKSON WILLIE JR	05/22/2008
2008-M1-142200	RESURGENCE FINANCI	TUSTISON ROBERT K	05/22/2008
2008-M1-142201	RESURGENCE FINANCI	DOMINGUEZ BRIANA J	05/22/2008

2008-M1-142202	RESURGENCE FINANCI	SMITH TINESE S	05/22/2008
2008-M1-142203	RESURGENCE FINANCI	PATTERSON RAYNOLD	05/22/2008
2008-M1-142205	RESURGENCE FINANCI	MADDEN JENNIFER C	05/22/2008
2008-M1-142207	RESURGENCE FINANCI	GUTIERREZ JUAN JR	05/22/2008
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2008-M1-142219	RESURGENCE FINANCI	BURDEN RONALD R	05/22/2008
2008-M1-142223	RESURGENCE FINANCI	FOTHERGILL BROOKLY	05/22/2008
2008-M1-142227	RESURGENCE FINANCI	RUBINAS SANDRA L	05/22/2008
2008-M1-142231	RESURGENCE FINANCI	NAJBAR DIANA M	05/22/2008
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2008-M1-142238	RESURGENCE FINANCI	PRATT MEGAN Q	05/22/2008
2008-M1-142241	RESURGENCE FINANCI	BREEN ASHLEIGH J	05/22/2008
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2008-M1-142404	RESURGENCE FINANCI	LARUE LAURA J	05/22/2008
2008-M1-142405	RESURGENCE FINANCI	SENG0PANICH KWANTI	05/22/2008
2008-M1-142406	RESURGENCE FINANCI	SLEDGE EARLIE LYNE	05/22/2008
2008-M1-142407	RESURGENCE FINANCI	PROWELL KIMBERLY J	05/22/2008
2008-M1-142408	RESURGENCE FINANCI	JEFFERIES GLADYS F	05/22/2008
2008-M1-142409	RESURGENCE FINANCI	ALVARADO SEAN C	05/22/2008
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2008-M1-142412	RESURGENCE FINANCI	DANIELS KRISTEN D	05/22/2008
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2008-M1-142415	RESURGENCE FINANCI	CLARK LEROY JR	05/22/2008
2008-M1-142417	RESURGENCE FINANCI	ZIMMERMAN JACOB	05/22/2008
2008-M1-142419	RESURGENCE FINANCI	BHATIA SAMEER	05/22/2008
2008-M1-142420	RESURGENCE FINANCI	COLSON KEIONA S	05/22/2008
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2008-M1-142423	RESURGENCE FINANCI	FARNHAM RYAN J	05/22/2008
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2008-M1-142425	RESURGENCE FINANCI	CARTER MARY ANITA	05/22/2008
2008-M1-142426	RESURGENCE FINANCI	BANO NASEEM	05/22/2008
2008-M1-142427	RESURGENCE FINANCI	JUAREZ GILBERTO J	05/22/2008

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2008-M1-142466	RESURGENCE FINANCI	ELSHAFE AHMED	05/22/2008
2008-M1-142467	RESURGENCE FINANCI	BOGAN LILLIAN L	05/22/2008
2008-M1-142468	RESURGENCE FINANCI	ZABORSKY JAMES R	05/22/2008
2008-M1-142469	RESURGENCE FINANCI	ANDRIAMASINORO BAO	05/22/2008
2008-M1-142470	RESURGENCE FINANCI	MCCRAY JOANN	05/22/2008
2008-M1-142471	RESURGENCE FINANCI	MELESIO GUADALUPE	05/22/2008
2008-M1-142472	RESURGENCE FINANCI	RUSSELL STEPHANIE	05/22/2008
2008-M1-142473	RESURGENCE FINANCI	XU LI J	05/22/2008
2008-M1-142474	RESURGENCE FINANCI	BRZEZINA STANISLAW	05/22/2008
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2008-M1-142479	RESURGENCE FINANCI	LEMAICH PREDRAG I	05/22/2008
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2008-M1-142481	RESURGENCE FINANCI	BRITO ANA M	05/22/2008
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2008-M1-142485	RESURGENCE FINANCI	CARLTON WENDY JO	05/22/2008
2008-M1-142486	RESURGENCE FINANCI	INGRAM LILLIAN QUI	05/22/2008
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2008-M1-142489	RESURGENCE FINANCI	ROMANO KELLY C	05/22/2008
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2008-M1-141005	RESURGENCE FINANCI	ALLAHVERDI AREZOO	05/16/2008
2008-M1-141006	RESURGENCE FINANCI	JIR AHMED MOHAMED	05/16/2008
2008-M1-141007	RESURGENCE FINANCI	ADAMS EBONY S	05/16/2008
2008-M2-001122	RESURGENCE FINANCI	YOUNG DAVID	05/09/2008
2008-M2-001123	RESURGENCE FINANCI	KRZEMINSKA ALICIA	05/09/2008

2008-M2-001124	RESURGENCE FINANCI	BIENENFELD SHLOMO	05/09/2008
2008-M2-001125	RESURGENCE FINANCI	LLOYD MARK ASHLEY	05/09/2008
2008-M2-001126	RESURGENCE FINACIA	KENDALL CURTIS MIC	05/09/2008
2008-M2-001127	RESURGENCE FINANCI	BLAIR JAMES K	05/09/2008
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2008-M1-138206	RESURGENCE FINANCI	EDWARDS ELIJAH	05/08/2008
2008-M1-138207	RESURGENCE FINANCI	MCGUIRE SCOTT A	05/08/2008
2008-M1-138208	RESURGENCE FINANCI	ASSEGAF TOHA JR	05/08/2008
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2008-M1-138211	RESURGENCE FINANCI	LAPIENIS EGIDIJUS	05/08/2008
2008-M1-138212	RESURGENCE FINANCI	KIRSCH JASON M	05/08/2008
2008-M1-138213	RESURGENCE FINANCI	ROBINSON RACHEL D	05/08/2008
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2008-M1-138282	RESURGENCE FINANCI	LOPEZ JUAN	05/08/2008
2008-M1-138287	RESURGENCE FINANCI	BERGER RICHARD T	05/08/2008
2008-M1-138290	RESURGENCE FINANCI	DASIC DAVID D	05/08/2008
2008-M1-138293	RESURGENCE FINANCI	HURSEY JESSICA A	05/08/2008
2008-M1-138296	RESURGENCE FIN LLC	VAZQUEZ AGAPITO	05/08/2008
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2008-M1-138300	RESURGENCE FINANCI	POLLOCK RALPH	05/08/2008
2008-M1-138301	RESURGENCE FINANCI	BRENNAN BONNIE K	05/08/2008
2008-M1-138302	RESURGENCE FINANCI	THURMOND KATHERINE	05/08/2008
2008-M1-138303	RESURGENCE FINANCI	TRONCOSO SHANNON L	05/08/2008
2008-M1-138304	RESURGENCE FINANCI	GREENE VICKIE	05/08/2008
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2008-M1-138306	RESURGENCE FINANCI	WILLIAMS RODERIC M	05/08/2008
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2008-M1-138311	RESURGENCE FINANCI	FRANKLIN JOANNE	05/08/2008
2008-M1-138312	RESURGENCE FINANCI	DIVIS ONDREJ	05/08/2008
2008-M1-138313	RESURGENCE FINANCI	FONG LOUIS	05/08/2008
2008-M1-138314	RESURGENCE FINANCI	KURTER HASAN A	05/08/2008
2008-M1-138315	RESURGENCE FINANCI	BANAAG LLOYD M SR	05/08/2008

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2008-M1-138316	RESURGENCE FINANCI	FOLAN MICHAEL M	05/08/2008
2008-M1-138317	RESURGENCE FINANCI	YUAN GANG	05/08/2008
2008-M1-138318	RESURGENCE FINANCI	VISTMAN BOZHENA Y	05/08/2008
2008-M1-138339	RESURGENCE FINANCI	BEN RAJU M	05/08/2008
2008-M1-138340	RESURGENCE FINANCI	LUCAS JEWEL DEANGE	05/08/2008
2008-M1-138341	RESURGENCE FINANCI	MCCLOSKEY DANIEL P	05/08/2008
2008-M1-138342	RESURGENCE FINANCI	REYES NANCY	05/08/2008
2008-M1-138343	RESURGENCE FINANCI	MEO PAULINE	05/08/2008
2008-M1-138344	RESURGENCE FINANCI	DUNN RYAN J	05/08/2008
2008-M1-138345	RESURGENCE FINANCI	NGITAMI TWALIB M	05/08/2008
2008-M1-138346	RESURGENCE FINANCI	ABIDALI LAL AHMED	05/08/2008
2008-M1-138347	RESURGENCE FINANCI	DANIELS RONALD K	05/08/2008
2008-M1-138348	RESURGENCE FINANCI	ARGYELAN ANITA	05/08/2008
2008-M1-138349	RESURGENCE FINANCI	GIRARDI SHERINA T	05/08/2008
2008-M1-137699	RESURGENCE FINANCI	HOMEYER SHERI	05/07/2008
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2008-M1-137191	RESURGENCE FINANCI	CELMARE JUTA	05/06/2008
2008-M1-137192	RESURGENCE FINANCI	SOTO EMIGDIO	05/06/2008
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2008-M1-137194	RESURGENCE FINANCI	JAMES JASON F	05/06/2008
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2008-M1-137201	RESURGENCE FINANCI	OGUNLEYE OLUSEGUN	05/06/2008
2008-M1-137204	RESURGENCE FINANCI	IJIGU KIDUS	05/06/2008
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2008-M1-137224	RESURGENCE FINANCI	TUTAJ LUKASZ A	05/06/2008
2008-M1-137227	RESURGENCE FINANCI	DAVIS ELNORA F	05/06/2008
2008-M1-137230	RESURGENCE FINANCI	BUCKNER DELOREAN M	05/06/2008
2008-M1-137233	RESURGENCE FINANCI	BRODERICK CATHERIN	05/06/2008
2008-M1-137403	RESURGENCE FINANCI	HARRIS ROBERTA V	05/06/2008

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2008-M1-137404	RESURGENCE FINANCI	FAGUNDO PETER J	05/06/2008
2008-M1-137405	RESURGENCE FINANCI	DEVEREUX ADAM BRAD	05/06/2008
2008-M1-137406	RESURGENCE FINANCI	ROMAN GILBERTO	05/06/2008
2008-M1-137407	RESURGENCE FINANCI	VARGAS SARA B	05/06/2008
2008-M1-137408	RESURGENCE FINANCI	MENEZ GABRIEL	05/06/2008
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2008-M1-137410	RESURGENCE FINANCI	VELAZQUEZ LETICIA	05/06/2008
2008-M1-137411	RESURGENCE FINANCI	DOMINGO NONATO S	05/06/2008
2008-M1-137412	RESURGENCE FINANCI	WILKINS BARBARA A	05/06/2008
2008-M1-137413	RESURGENCE FINANCI	JAY ELISE M	05/06/2008
2008-M1-137414	RESURGENCE FINANCI	RODRIGUEZ MYRNA	05/06/2008
2008-M1-137415	RESURGENCE FINANCI	BADILLO JUDITH	05/06/2008
2008-M1-137416	RESURGENCE FINANCI	SUMTER KENNETH PEL	05/06/2008
2008-M1-137417	RESURGENCE FINANCI	THOMAS VERNOLA F	05/06/2008
2008-M1-137418	RESURGENCE FINANCI	JOHNSON KIRK R	05/06/2008
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2008-M1-137420	RESURGENCE FINANCI	MURPHY WILLIAM B	05/06/2008
2008-M1-137421	RESURGENCE FINANCI	KEHOE JOSEPH F	05/06/2008
2008-M1-137422	RESURGENCE FINANCI	SZAFRAN RICHARD JR	05/06/2008
2008-M1-137423	RESURGENCE FINANCI	RODRIGUEZ MARIA D	05/06/2008
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2008-M1-137492	RESURGENCE FINANCI	GOLDBERG PHYLLIS R	05/06/2008
2008-M1-137493	RESURGENCE FINANCI	WICKLANDER MATTHEW	05/06/2008
2008-M1-137494	RESURGENCE FINANCI	FUKUHARA KENNETH	05/06/2008
2008-M1-137495	RESURGENCE FINANCI	MIHALSKI JACQUELIN	05/06/2008
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2008-M1-137501	RESURGENCE FINANCI	CARRERA VIRGINIA N	05/06/2008
2008-M1-137502	RESURGENCE FINANCI	GRON BEATA	05/06/2008
2008-M1-137503	RESURGENCE FINANCI	CRIPE PATRICK M	05/06/2008
2008-M1-137504	RESURGENCE FINANCI	JANCZAK LUCJAN	05/06/2008
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2008-M1-137506	RESURGENCE FINANCI	RUSSELL MELVIN M	05/06/2008

2008-M1-137507	RESURGENCE FINANCI	MIRANDA FRANCISCO	05/06/2008
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2008-M1-137510	RESURGENCE FINANCI	MESJASZ IWONA	05/06/2008
2008-M1-137511	RESURGENCE FINANCI	STROCCHIA TIMOTHY	05/06/2008
2008-M1-137512	RESURGENCE FINANCI	KRECEK FRANTISEK	05/06/2008
2008-M1-137513	RESURGENCE FINANCI	ISSA EST OF	05/06/2008
2008-M1-137514	RESURGENCE FINANCI	OCON RUDY A	05/06/2008
2008-M1-137515	RESURGENCE FINANCI	LAWSON RICKY	05/06/2008
2008-M1-137516	RESURGENCE FINANCI	SALVATIERRA OSCAR	05/06/2008
2008-M1-137517	RESURGENCE FINANCI	CORCORAN MICHAEL P	05/06/2008
2008-M1-137518	RESURGENCE FINANCI	WILLIAMS KELLY E	05/06/2008
2008-M1-137519	RESURGENCE FINANCI	BROWN MARVIN A	05/06/2008
2008-M1-137520	RESURGENCE FINANCI	POWLEZGE NAJEE	05/06/2008
2008-M1-137521	RESURGENCE FINANCI	KINCAIDE TIMOTHY T	05/06/2008
2008-M1-137522	RESURGENCE FINANCI	ORGANISTA DIANA	05/06/2008
2008-M1-137523	RESURGENCE FINANCI	WALDRON LORI K	05/06/2008
2008-M1-137524	RESURGENCE FINANCI	GUERECA JESUS SR	05/06/2008
2008-M1-137525	RESURGENCE FINANCI	ORTA ERICA	05/06/2008
2008-M1-137526	RESURGENCE FINANCI	GROVES SAMUEL J	05/06/2008
2008-M1-137527	RESURGENCE FINANCI	VILLARRUEL MARIA	05/06/2008
2008-M1-137528	RESURGENCE FINANCI	LAWRENCE ELIZABETH	05/06/2008
2008-M1-137529	RESURGENCE FINANCI	DEGUZMAN CEZAR	05/06/2008
2008-M1-137530	RESURGENCE FINANCI	BEAL MARQUITA	05/06/2008
2008-M1-137531	RESURGENCE FINANCI	COMER LANFREY E	05/06/2008
2008-M1-137532	RESURGENCE FINANCI	CALANDRIA JANICE S	05/06/2008
2008-M1-137533	RESURGENCE FINANCI	WESLEY CHARISSE E	05/06/2008
2008-M1-137534	RESURGENCE FINANCI	PINZ BRENDA LYNN	05/06/2008
2008-M1-137535	RESURGENCE FINANCI	SALEM MOHAMMED K	05/06/2008
2008-M1-137536	RESURGENCE FINANCI	MAYNE NECUS A	05/06/2008
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2008-M1-137538	RESURGENCE FINANCI	EDWARDS BRIAN T	05/06/2008
2008-M1-137539	RESURGENCE FINANCI	FELTON CHEYENNE	05/06/2008
2008-M1-137540	RESURGENCE FINANCI	SHAWAR DINA F	05/06/2008
2008-M1-137542	RESURGENCE FINANCI	SANTANA MARCO A	05/06/2008
2008-M1-137543	RESURGENCE FINANCI	OWENS WILLIE	05/06/2008
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2008-M1-137099	RESURGENCE FINANCI	BILLINGSLEY BRENDA	05/05/2008
2008-M1-137100	RESURGENCE FINANCI	GUZMAN MARGARITA R	05/05/2008
2008-M1-137101	RESURGENCE FINANCI	PAVLOS RONAN	05/05/2008
2008-M1-137102	RESURGENCE FINANCI	ZABARSKAS RUTENIS	05/05/2008
2008-M1-137103	RESURGENCE FINANCI	OTHIENO EMMANUEL A	05/05/2008
2008-M1-137104	RESURGENCE FINANCI	VARGAS NOE	05/05/2008
2008-M1-137105	RESURGENCE FINANCI	GARNICA ANTONIA V	05/05/2008
2008-M1-137106	RESURGENCE FINANCI	JACKSON KIMBERLY D	05/05/2008
2008-M1-137107	RESURGENCE FINANCI	SAWYER CHRISTINA E	05/05/2008
2008-M1-137108	RESURGENCE FINANCI	HOLMAN IRMA M	05/05/2008
2008-M1-137109	RESURGENCE FINANCI	BURGESS TONY R	05/05/2008
2008-M1-137110	RESURGENCE FINANCI	STRINGILE MARY G	05/05/2008
2008-M1-137111	RESURGENCE FINANCI	PATTERSON COREY A	05/05/2008
2008-M1-137112	RESURGENCE FINANCI	BARFIELD JAVA L	05/05/2008
2008-M1-137113	RESURGENCE FINANCI	GULOTTA JAMIELYNN	05/05/2008
2008-M1-137114	RESURGENCE FINANCI	PALACIOS SYLVIA	05/05/2008
2008-M1-137115	RESURGENCE FINANCI	CRONIN ANN E	05/05/2008
2008-M1-137116	RESURGENCE FINANCI	WALKER TASIA D	05/05/2008
2008-M1-137117	RESURGENCE FINANCI	MARTINEZ EDDY R	05/05/2008
2008-M1-137118	RESURGENCE FINANCI	PULLEN CARMEN Q	05/05/2008
2008-M1-137119	RESURGENCE FINANCI	PAGE MARTIN R JR	05/05/2008
2008-M1-137120	RESURGENCE FINANCI	NAJDAWI MARIAM A	05/05/2008
2008-M1-137121	RESURGENCE FINANCI	MECA ALIN C	05/05/2008
2008-M1-137122	RESURGENCE FINANCI	JACKSON WILLIE E	05/05/2008
2008-M1-137123	RESURGENCE FINANCI	ENRIQUEZ GERARDO	05/05/2008
2008-M1-137124	RESURGENCE FINANCI	GRAHAM JAZZIME N	05/05/2008
2008-M1-137125	RESURGENCE FINANCI	ROMAN CARLOS F	05/05/2008
2008-M1-137127	RESURGENCE FINANCI	OLIVEROS ARTHUR P	05/05/2008
2008-M1-136213	RESURGENCE FINANCI	PHAN THIENAN H	05/02/2008
2008-M1-136214	RESURGENCE FINANCI	ABUZIR HISHAM A	05/02/2008
2008-M1-136215	RESURGENCE FINANCI	WILLIAMS SHEINETTE	05/02/2008
2008-M1-136216	RESURGENCE FINANCI	OEHMEN MICHAEL R	05/02/2008
2008-M1-136217	RESURGENCE FINANCI	AHMED MALIK SHER	05/02/2008
2008-M1-136221	RESURGENCE FINANCI	CHIN MARGARET P	05/02/2008
2008-M1-136228	RESURGENCE FINANCI	MORALES RAMIRO	05/02/2008
2008-M1-136236	RESURGENCE FINANCI	SOTELO ALBERTO	05/02/2008
2008-M1-136238	RESURGENCE FINANCI	GREEN JUDITH L	05/02/2008

2008-M1-136241	RESURGENCE FINANCI	PACKWOOD WALTER J 05/02		
2008-M1-136242	RESURGENCE FINANCI	MOORE KYESHA D 05/02/		
2008-M1-136243	RESURGENCE FINANCI	BELL KEITH A 05/02		
2008-M1-136244	RESURGENCE FINANCI	PETERSON WILLIAM A	05/02/2008	
2008-M1-136248	RESURGENCE FINANCI	ARIGBEDE BOLAJI K 05/0		
2008-M1-136249	RESURGENCE FINANCI	GARBUTT NORMA L	05/02/2008	
2008-M1-136251	RESURGENCE FINANCI	CHIQUITO REGINA	05/02/2008	
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2008-M1-136259	RESURGENCE FINANCI	SIP MARTIN	05/02/2008	
2008-M1-136262	RESURGENCE FINANCI	JEFFERSON TRACIE L	05/02/2008	
2008-M1-136263	RESURGENCE FINANCI	FOSTER GAY MANNETT	05/02/2008	
2008-M1-136264	RESURGENCE FINANCI	KHANO SUSAN E	05/02/2008	
2008-M1-136265	RESURGENCE FINANCI	MURILLO ROSENDO A	05/02/2008	
2008-M1-136266	RESURGENCE FINANCI	BARRERA DIONISIA	05/02/2008	
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2008-M1-136268	RESURGENCE FINANCI	AHMED TAHIR	05/02/2008	
2008-M1-136269	RESURGENCE FINANCI	KLEIDON DAVID A	05/02/2008	
2008-M1-136270	RESURGENCE FINANCI	FLORES LEO A	05/02/2008	
2008-M1-136271	RESURGENCE FINANCI	WILLIAMS CEDRIC	05/02/2008	
2008-M1-136272	RESURGENCE FINANCI	KUSCEVICH NICHOLAS	05/02/2008	
2008-M1-136273	RESURGENCE FINANCI	BACARRO RUTH A	05/02/2008	
2008-M1-136274	RESURGENCE FINANCI	OCAMPO CATALINA S	05/02/2008	
2008-M1-136275	RESURGENCE FINANCI	KING AMBROSE JR	05/02/2008	
2008-M1-136276	RESURGENCE FINANCI	CRITTENDEN KENNETH	05/02/2008	
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2008-M1-136278	RESURGENCE FINANCI	CLARK BRANDON R	05/02/2008	
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2008-M1-136282	RESURGENCE FINANCI	MCGEE NICOLE S	05/02/2008	
2008-M1-136283	RESURGENCE FINANCI	WRIGHT MARGO ELAIN	05/02/2008	
2008-M1-136284	RESURGENCE FINANCI	ENRIQUEZ RIGOBERTO	05/02/2008	
2008-M1-136285	RESURGENCE FINANCI	MATTHEWS QUINCY M	05/02/2008	
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2008-M1-136288	RESURGENCE FINANCI	WASHINGTON AUDLEY	05/02/2008	

2008-M1-136292	RESURGENCE FINANCI	DELAVEGA MARIA L	05/02/2008
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2008-M1-136305	RESURGENCE FINANCI	GREENWOOD KELLY 05/02	
2008-M1-136311	RESURGENCE FINANCI	MACIAS ROBERTO C 05/02	
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2008-M1-136318	RESURGENCE FINANCI	CLAY VEANA V 05/0	
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2008-M1-136328	RESURGENCE FINANCI	PHILLIPS REGINA	05/02/2008
2008-M1-136332	RESURGENCE FINANCI	DAHL MICHAEL EDWAR	05/02/2008
2008-M1-136336	RESURGENCE FINANCI	OLIVEIRA CARMEN L	05/02/2008
2008-M1-136338	RESURGENCE FINANCI	MORALES CARLOS G	05/02/2008
2008-M1-136339	RESURGENCE FINANCI	HOWARD MICHAEL E	05/02/2008
2008-M1-136340	RESURGENCE FINANCI	BERLANGA JOHN R	05/02/2008
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2008-M1-135251	RESURGENCE FINANCI	ALALI OMAR A	04/30/2008
2008-M1-135253	RESURGENCE FINANCI	PERRONE PHILLIP J	04/30/2008
2008-M1-135254	RESURGENCE FINANCI	SANCHEZ VERONICA	04/30/2008
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2008-M1-135260	RESURGENCE FINANCI	ROHRBACHER JUDITH	04/30/2008
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2008-M1-135269	RESURGENCE FINANCI	JAMES CHARLES E	04/30/2008
2008-M1-135272	RESURGENCE FINANCI	HARTMAN BRIAN R	04/30/2008
2008-M1-135274	RESURGENCE FINANCI	RUDRA SYAMAL B	04/30/2008
2008-M1-135275	RESURGENCE FINANCI	BLACK JOHN J	04/30/2008
2008-M1-135276	RESURGENCE FINANCI	STEIN FREDERICK K	04/30/2008
2008-M1-135277	RESURGENCE FINANCI	OHANIS KAMIL B	04/30/2008
2008-M1-135279	RESURGENCE FINANCI	MARTINEZ SERGIO E	04/30/2008
2008-M1-135280	RESURGENCE FINANCI	ALRASHAIDEH ABDEL	04/30/2008
2008-M1-135281	RESURGENCE FINANCI	KANG HOON SHIK SR	04/30/2008
2008-M1-135282	RESURGENCE FINANCI	LONG JOSEPH J	04/30/2008
2008-M1-135283	RESURGENCE FINANCI	VALENZUELA KARLO A	04/30/2008
2008-M1-135284	RESURGENCE FINANCI	HABRYCH DALE A	04/30/2008
2008-M1-135285	RESURGENCE FINANCI	COLLINS IVORY Y	04/30/2008
2008-M1-135286	RESURGENCE FINANCI	AQUINO ZENAIDA T	04/30/2008
2008-M1-135287	RESURGENCE FINANCI	MATTHEWS ELMER B	04/30/2008

2008-M1-135289	RESURGENCE FINANCI	GALLMANN NICOLE 04/30/2	
2008-M1-135290	RESURGENCE FINANCI	MELMET HISAI 04/30/	
2008-M1-135291	RESURGENCE FINANCI	FIGUEROA RAUL 04/30/	
2008-M1-135293	RESURGENCE FINANCI	EVANS ROBERT J	04/30/2008
2008-M1-135294	RESURGENCE FINANCI	JORDAN CHERYL V 04/30	
2008-M1-135296	RESURGENCE FINANCI	DOWD MARK J 04/3	
2008-M1-135403	RESURGENCE FINANCI	MARTINEZ MIRIAM S	04/30/2008
2008-M1-135404	RESURGENCE FINANCI	KUENSTLE PATRICIA 04/3	
2008-M1-135405	RESURGENCE FINANCI	GLOVER PIERRE T	04/30/2008
2008-M1-135406	RESURGENCE FINANCI	BLISSITT JIM	04/30/2008
2008-M1-135407	RESURGENCE FINANCI	KHAN TAHIR A	04/30/2008
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2008-M1-135412	RESURGENCE FINANCI	KIM WON M	04/30/2008
2008-M1-135413	RESURGENCE FINANCI	JAY ALLAN	04/30/2008
2008-M1-135414	RESURGENCE FINANCI	VATRALOVA JANET	04/30/2008
2008-M1-135415	RESURGENCE FINANCI	PERALES SANDRA M	04/30/2008
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2008-M1-135424	RESURGENCE FINANCI	MYZIA JASON R	04/30/2008
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2008-M1-135435	RESURGENCE FINANCI	MAYORGA WENDY M	04/30/2008
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2008-M1-132973	RESURGENCE FINANCI	GBADBO LAURA A 04/24	
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2008-M2-000971	RESURGENCE FINANCI	JOHNSON RAFAEL R 04/	
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2008-M2-000904	RESURGENCE FINANCI	GENTILE STEVEN	04/15/2008
2008-M2-000905	RESURGENCE FINANCI	SALVIIUSI ANNTERES	04/15/2008
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2008-M1-122569	RESURGENCE FINANCI	WILLIAMS ALLAN B	03/19/2008
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2008-M1-121768	RESURGENCE FINANCI	MAGANA HONORIO A	03/14/2008
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2008-M1-121079	RESURGENCE FINANCI	STELEA SONIA M	03/11/2008
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2008-M1-121081	RESURGENCE FINANCI	FLORES LIZETTE	03/11/2008
2008-M1-121082	RESURGENCE FINANCI	ROBERTS MELDOY J	03/11/2008
2008-M1-121083	RESURGENCE FINANCI	LEE DOUGLAS D	03/11/2008
2008-M1-121084	RESURGENCE FINANCI	RICE ROBERT BRUCE	03/11/2008
2008-M1-121085	RESURGENCE FINANCI	KING BARBARA J	03/11/2008
2008-M1-121086	RESURGENCE FINANCI	JACKSON ROBERT EAR	03/11/2008
2008-M1-121087	RESURGENCE FINANCI	HEIN ROBERT VOLKER	03/11/2008
2008-M1-121088	RESURGENCE FINANCI	EWEMADE OBAROGHEDO	03/11/2008
2008-M1-121089	RESURGENCE FINANCI	LEE MARSENA L	03/11/2008
2008-M1-121090	RESURGENCE FINANCI	MALIK RICHARD J	03/11/2008
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2008-M1-121092	RESURGENCE FINANCI	STEAGERMAN ANNA M	03/11/2008
2008-M1-121093	RESURGENCE FINANCI	SZEWCZYK MARIUSZ	03/11/2008
2008-M1-121094	RESURGENCE FINANCI	LANIGAN JAMES T	03/11/2008
2008-M1-117569	RESURGENCE FINANCI	RAHMAN MOHAMMED A	02/29/2008

2008-M1-116119	RESURGENCE FINANCI	KORATSIS AMANDA G	02/27/2008
2008-M1-115894	RESURGENCE FINANCI	RIZZO RAPHAEL C 02/2	
2008-M1-115895	RESURGENCE FINANCI	BALENTINE PAULITA 02/2	
2008-M1-115896	RESURGENCE FINANCI	RICE TONY	02/26/2008
2008-M1-115897	RESURGENCE FINANCI	NOOR QUTUBUDDIN	02/26/2008
2008-M1-111655	RESURGENCE FINANCI	BAJJOU JAWAD 02	
2008-M1-111656	RESURGENCE FINANCI	ARGUETA LUISANA E	02/13/2008
2008-M1-111657	RESURGENCE FINANCI	KOFOWOROLA RAFIU A	02/13/2008
2008-M1-111658	RESURGENCE FINANCI	SMITH SIMON A	02/13/2008
2008-M1-111659	RESURGENCE FINANCI	STEWART ELGIN A	02/13/2008
2008-M1-111660	RESURGENCE FINANCI	VELEZ ALIPIO V	02/13/2008
2008-M1-111661	RESURGENCE FINANCI	SZCEPANSKA MARTA	02/13/2008
2008-M1-111662	RESURGENCE FINANCI	SHAHZAD AKMAL	02/13/2008
2008-M1-111663	RESURGENCE FINANCI	RAMOS OLIVER JR	02/13/2008
2008-M1-111664	RESURGENCE FINANCI	CUELLAR KAREN T	02/13/2008
2008-M1-109768	RESURGENCE FINANCI	MURRAY MICHAEL SR	02/06/2008
2008-M1-107728	RESURGENCE FINANCI	SHAW THOMAS L	01/31/2008
2008-M2-000256	RESURGENCE FINANCI	MOLNAR DAVID M	01/30/2008
2008-M1-105210	RESURGENCE FINANCI	HASSAN CARMELA A	01/23/2008
2008-M1-105211	RESURGENCE FINANCI	THOMPSON SHALANDA	01/23/2008
2008-M1-105212	RESURGENCE FINANCI	IBRAHIM YASIR E	01/23/2008
2008-M1-105213	RESURGENCE FINANCI	WELLS RONYELLE C	01/23/2008
2008-M1-105214	RESURGENCE FINANCI	MCDONALD LOLISHA R	01/23/2008
2008-M1-105215	RESURGENCE FINANCI	HUNTER ARTHUR L SR	01/23/2008
2008-M1-105216	RESURGENCE FINANCI	LEBRON FELICITA	01/23/2008
2008-M1-105217	RESURGENCE FINANCI	PRGOMELJA JENNIFER	01/23/2008
2008-M1-105218	RESURGENCE FINANCI	CHRISTIANSEN LOURD	01/23/2008
2008-M1-105219	RESURGENCE FINANCI	POWELL ROSALIE P	01/23/2008
2008-M1-105220	RESURGENCE FINANCI	YASUO KURODA	01/23/2008
2008-M1-105221	RESURGENCE FINANCI	KORFF R A	01/23/2008
2008-M1-105222	RESURGENCE FINANCI	SKALAK BOGDAN	01/23/2008
2008-M1-105223	RESURGENCE FINANCI	FLORES VIRGINIA	01/23/2008
2008-M1-102624	RESURGENCE FINANCI	HARDY FAITH	01/14/2008
2008-M1-101650	RESURGENCE FINANCI	THAPAPAYACKA KANDA	01/09/2008
2008-M1-101651	RESURGENCE FINANCI	BUCKNER SEAN M	01/09/2008
2008-M1-101652	RESURGENCE FINANCI	RAHMAN MOHAMMED A	01/09/2008
2008-M1-101463	RESURGENCE FINANCI	ARSENIJEVIC MIROSL	01/08/2008

2008-M2-000014	RESURGENCE FINANCI	ALKHANI HIND AL	01/04/2008
2008-M2-000015	RESURGENCE FINANCI	HAJ ADNAN A 01/	
2007-M1-257140	RESURGENCE FINANCI	I MEZA PEDRO 12	
2007-M1-601705	RESURGENCE FINANCI	BULEJE JESSICA A	12/19/2007
2007-M1-601706	RESURGENCE FINANCI	HNAIHEN NASER M	12/19/2007
2007-M1-254010	RESURGENCE FINANCI	I HUEY ROBERT N 12	
2007-M1-254011	RESURGENCE FINANCI	DIAZ CONSUELO D	12/19/2007
2007-M1-254012	RESURGENCE FINANCI	ESCAMILLA JUDITH J	12/19/2007
2007-M1-254013	RESURGENCE FINANCI	CAREY SANDRA R	12/19/2007
2007-M1-254015	RESURGENCE FINANCI	DENICOLO WILLIAM A	12/19/2007
2007-M1-254017	RESURGENCE FINANCI	PALUCSKA MELISSA	12/19/2007
2007-M1-254019	RESURGENCE FINANCI	BEALS HENRY R	12/19/2007
2007-M1-254021	RESURGENCE FINANCI	GOMEZ EUGENIO G	12/19/2007
2007-M1-254023	RESURGENCE FINANCI	AUGUSTYN STANISLAW	12/19/2007
2007-M1-254024	RESURGENCE FINANCI	WEILER BRIAN S	12/19/2007
2007-M1-254026	RESURGENCE FINANCI	SCHLESER RICHARD M	12/19/2007
2007-M1-254027	RESURGENCE FINANCI	DO THUY KHAN	12/19/2007
2007-M1-254028	RESURGENCE FINANCI	CHAIRS MARVIN LATO	12/19/2007
2007-M1-254029	RESURGENCE FINANCI	BURKES ALESHA L	12/19/2007
2007-M1-254030	RESURGENCE FINANCI	CHOKSHI SANGITA D	12/19/2007
2007-M1-254031	RESURGENCE FINANCI	OLASIMBO AFOLAKE	12/19/2007
2007-M1-254032	RESURGENCE FINANCI	AKHTAR NADIA F	12/19/2007
2007-M1-253722	RESURGENCE FINANCI	SLEDGE BRYAN M	12/18/2007
2007-M1-253723	RESURGENCE FINANCI	MAZURKIEWICZ KARRI	12/18/2007
2007-M1-253725	RESURGENCE FINANCI	SHIVES FRANCHEDA I	12/18/2007
2007-M1-253726	RESURGENCE FINANCI	RUIZ LUIS A	12/18/2007
2007-M1-253728	RESURGENCE FINANCI	NURNBERG BRUCE A	12/18/2007
2007-M1-253729	RESURGENCE FINANCI	MALLEK MARY R	12/18/2007
2007-M1-253730	RESURGENCE FINANCI	HAMBLIN JUANITA F	12/18/2007
2007-M1-253731	RESURGENCE FINANCI	CHAMBLIS BARBARA L	12/18/2007
2007-M1-253732	RESURGENCE FINANCI	AZARI MARTIN M	12/18/2007
2007-M1-253733	RESURGENCE FINANCI	MAHER PAULA ANN	12/18/2007
2007-M1-253734	RESURGENCE FINANCI	ZARA BARBARA A	12/18/2007
2007-M1-253735	RESURGENCE FINANCI	BACHTA ZDZISLAW	12/18/2007
2007-M1-253736	RESURGENCE FINANCI	MENDEZ RUBEN	12/18/2007
2007-M1-253737	RESURGENCE FINANCI	KHANTI SORAKRIT	12/18/2007
2007-M1-253738	RESURGENCE FINANCI	STUBBLEFIELD OTIS	12/18/2007

APPENDIX B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

BARBARA KING, individually and on behalf of the class)	
defined herein,)	
Plaintiff,)	Case No. 08 CV 3306
VS.)	Judge Amy J. St. Eve Magistrate Judge Cox
RESURGENCE FINANCIAL, LLC,)	
Defendant.)	

DECLARATION OF DANIEL A. EDELMAN

Daniel A. Edelman declares under penalty of perjury, as provided for by 28 U.S.C. §1746, that the following statements are true:

- **1.** Edelman, Combs, Latturner & Goodwin, LLC, has 5 principals, Daniel A. Edelman, Cathleen M. Combs, James O. Latturner, Tara L. Goodwin, and Michelle R. Teggelaar and 9 associates.
- 2. **Daniel A. Edelman** is a 1976 graduate of the University of Chicago Law School. From 1976 to 1981 he was an associate at the Chicago office of Kirkland & Ellis with heavy involvement in the defense of consumer class action litigation (such as the General Motors Engine Interchange cases). In 1981 he became an associate at Reuben & Proctor, a mediumsized firm formed by some former Kirkland & Ellis lawyers, and was made a partner there in 1982. From the end of 1985 he has been in private practice in downtown Chicago. Virtually all of his practice involves litigation on behalf of consumers, mostly through class actions. He is the author of Chapter 6, "Predatory Lending and Potential Class Actions," in Real Estate Litigation (Ill. Inst. For Cont. Legal Educ. 2008), Chapter 4-1, "Truth in Lending Act," in Illinois Causes of Action (Ill. Inst. For Cont. Legal Educ. 2008), ch. 6 of Illinois Mortgage Foreclosure Practice (Ill. Inst. For Cont. Legal Educ.2003); Predatory Lending and Potential Class Actions, ch. 5 of Real Estate Litigation (Ill. Inst. For Cont. Legal Educ. 2004); co-author of Rosmarin & Edelman, Consumer Class Action Manual (2d-4th editions, National Consumer Law Center 1990, 1995 and 1999); author of Payday Loans: Big Interest Rates and Little Regulation, 11 Loy. Consumer L.Rptr. 174 (1999); author of Consumer Fraud and Insurance Claims, in Bad Faith and Extracontractual Damage Claims in Insurance Litigation, Chicago Bar Ass'n 1992; co-author of Chapter 8, "Fair Debt Collection Practices Act," Ohio Consumer Law (1995 ed.); co-author of Fair Debt Collection: The Need for Private Enforcement, 7 Loy. Consumer L. Rptr. 89 (1995); author of An Overview of The Fair Debt Collection Practices Act, in Financial Services

Litigation, Practicing Law Institute (1999); co-author of Residential Mortgage Litigation, in Financial Services Litigation, Practicing Law Institute (1996); author of Automobile Leasing: Problems and Solutions, 7 Loy. Consumer L. Rptr. 14 (1994); author of Current Trends in Residential Mortgage Litigation, 12 Rev. of Banking & Financial Services 71 (April 24, 1996); author of Applicability of Illinois Consumer Fraud Act in Favor of Out-of-State Consumers, 8 Loy. Consumer L. Rptr. 27 (1996); co-author of Illinois Consumer Law (Chicago Bar Ass'n 1996); co-author of D. Edelman and M. A. Weinberg, Attorney Liability Under the Fair Debt Collection Practices Act (Chicago Bar Ass'n 1996); author of The Fair Debt Collection Practices Act: Recent Developments, 8 Loy. Consumer L. Rptr. 303 (1996); author of Second Mortgage Frauds, Nat'l Consumer Rights Litigation Conference 67 (Oct. 19-20, 1992); and author of Compulsory Arbitration of Consumer Disputes, Nat'l Consumer Rights Litigation Conference 54, 67 (1994). He is a member of the Illinois bar and admitted to practice in the following courts: United States Supreme Court, Seventh Circuit Court of Appeals, First Circuit Court of Appeals, Second Circuit Court of Appeals, Third Circuit Court of Appeals, Fifth Circuit Court of Appeals, Eighth Circuit Court of Appeals, Ninth Circuit Court of Appeals, Tenth Circuit Court of Appeals, Eleventh Circuit Court of Appeals, United States District Courts for the Northern and Southern Districts of Indiana, United States District Courts for the Northern, Central, and Southern Districts of Illinois, United States District Court for the District of Arizona, United States District Court for the District of Connecticut, and the Supreme Court of Illinois. He is a member of the Northern District of Illinois trial bar.

- 3. **Cathleen M. Combs** is a 1976 graduate of Loyola University Law School. She formerly supervised the Northwest office of the Legal Assistance Foundation of Chicago, where she was lead or co-counsel in class actions in the areas of unemployment compensation, prison law, social security law, and consumer law. She joined what is now Edelman, Combs, Latturner & Goodwin, LLC in early 1991. Decisions in which she was involved prior to joining the firm include: <u>Johnson v. Heckler</u>, 607 F.Supp. 875 (N.D.Ill. 1984), and 100 F.R.D. 70 (N.D. Ill. 1983); Sanders v. Shephard, 185 Ill.App.3d 719, 541 N.E.2d 1150 (1st Dist. 1989); Maller v. Cohen, 176 Ill.App.3d 987, 531 N.E.2d 1029 (1st Dist. 1988); Wright v. Department of Labor, 166 Ill.App.3d 438, 519 N.E.2d 1054 (1st Dist. 1988); Barron v. Ward, 165 Ill.App.3d 653, 517 N.E.2d 591 (1st Dist. 1987); City of Chicago v. Leviton, 137 Ill.App.3d 126, 484 N.E.2d 438 (1st Dist. 1985); Jude v. Morrissey, 117 Ill.App.3d 782, 454 N.E.2d 24 (1st Dist. 1983). She is a member of the Northern District of Illinois trial bar.
- 4. **James O. Latturner** is a 1962 graduate of the University of Chicago Law School. Until 1969, he was an associate and then a partner at the Chicago law firm of Berchem, Schwanes & Thuma. From 1969 to 1995 he was Deputy Director of the Legal Assistance Foundation of Chicago, where he specialized in consumer law, including acting as lead counsel in over 30 class actions. His publications include Chapter 8 ("Defendants") in Federal Practice Manual for Legal Services Attorneys (M. Masinter, Ed., National Legal Aid and Defender Association 1989); Governmental Tort Immunity in Illinois, 55 Ill.B.J. 29 (1966); Illinois Should Explicitly Adopt the Per Se Rule for Consumer Fraud Act Violations, 2 Loy. Consumer L. Rep. 64 (1990), and Illinois Consumer Law (Chicago Bar Ass'n 1996). He has taught in a nationwide series of 18 Federal Practice courses sponsored by the Legal Services Corporation, each lasting

four days and designed for attorneys with federal litigation experience. He has argued some 30 appeals, including two cases in the United States Supreme Court and two in the Illinois Supreme Court. Mr. Latturner was involved in many of the significant decisions establishing the rights of Illinois consumers. He is a member of the Northern District of Illinois trial bar.

- 5. Tara L. Goodwin is a graduate of the University of Chicago (B.A., with general honors, 1988) and Illinois Institute of Technology, Chicago-Kent College of Law (J.D., with high honors, 1991). She has been with the firm since her graduation and has participated in many of the cases described below. Reported Cases. Williams v. Chartwell Financial Services, LTD, 204 F.3d 748 (7th Cir. 2000); Hillenbrand v. Meyer Medical Group, 682 N.E.2d 101 (Ill.1st Dist. 1997), 720 N.E.2d 287 (Ill.1st Dist. 1999); Bessette v. Avco Fin. Servs., 230 F.3d 439 (1st Cir. 2000); Large v. Conseco Fin. Servicing Co., 292 F.3d 49 (1st Cir. 2002);; Carbajal v. Capital One, 219 F.R.D. 437 (N.D.Ill. 2004); Russo v. B&B Catering, 209 F.Supp.2d 857 (N.D.IL 2002); Garcia v. Village of Bensenville, 2002 U.S.Dist. LEXIS 3803 (N.D.Ill.); Romaker v. Crossland Mtg. Co., 1996 U.S.Dist. LEXIS 6490 (N.D.IL); Mount v. LaSalle Bank Lake View, 926 F.Supp. 759 (N.D.Ill 1996). She is a member of the Northern District of Illinois trial bar.
- 6. Michelle R. Teggelaar is a graduate of the University of Illinois (B.A., 1993) and Chicago-Kent College of Law, Illinois Institute of Technology (J.D., with honors, 1997). **Reported Cases:** Johnson v. Revenue Management, Inc., 169 F.3d 1057 (7th Cir.1999); Hernandez v. Attention, LLC, 429 F. Supp. 2d 912 (N.D. Ill. 2005); Coelho v. Park Ridge Oldsmobile, Inc., 247 F. Supp. 2d 1004 (N.D. Ill. 2003); Dominguez v. Alliance Mtge., Co., 226 F. Supp. 2d 907 (N.D. Ill. 2002); Watson v. CBSK Financial Group, Inc., 197 F. Supp. 2d 1118 (N.D. III. 2002); Van Jackson v. Check 'N Go of Illinois, Inc. 123 F. Supp. 2d 1085 (N.D. III. 2000), Van Jackson v. Check 'N Go of Illinois, Inc., 123 F. Supp. 2d 1079, Van Jackson v. Check 'N Go of Illinois, Inc., 114 F. Supp. 2d 731 (N.D. Ill. 2000); Van Jackson v. Check 'N Go of Illinois, Inc., 193 F.R.D. 544 (N.D. Ill. 2000); Vines v. Sands, 188 F.R.D. 302 (N.D. Ill. 1999); Veillard v. Mednick, 24 F. Supp. 2d 863 (N.D. Ill.1998); Sledge v. Sands, 182 F.R.D. 255 (N.D. III. 1998), Vines v. Sands, 188 F.R.D. 203 (N.D. III. 1999), Livingston v. Fast Cash USA, Inc., 753 N.E.2d 572 (Ind. 2001); Binder v. Atlantic Credit and Finance, Inc., 2007 U.S. Dist. LEXIS 11483 (S.D. Ind. 2007); Carroll v. Butterfield Heath Care, Inc., 2003 WL 22462604 (N.D. III. 2003); Payton v. New Century Mtge., Inc., 2003 WL 22349118 (N.D. III. 2003); Seidat v. Allied Interstate, Inc., 2003 WL 2146825 (N.D. Ill. 2003) (Report and Recommendation); Michalowski v. Flagstar Bank, FSB, 2002 WL 112905 (N.D. Ill. 2002); Bigalke v. Creditrust Corp., 2001 WL 1098047 (N.D. Ill 2001) (Report and Recommendation); Donnelly v. Illini Cash Advance, 2000 WL 1161076 (N.D. Ill. 2000); Mitchem v. Paycheck Advance Express, 2000 WL 419992 (N.D. Ill 2000); Pinkett v. Moolah Loan Co., 1999 WL 1080596 (N.D. Ill. 1999); Farley v. Diversified Collection Serv., 1999 WL 965496 (N.D. Ill. 1999); Davis v. Commercial Check Control, 1999 WL 965496 (N.D. Ill. 1999); Sledge v. Sands, 1999 WL 261745 (N.D. Ill. 1999); Slater v. Credit Sciences, Inc., 1998 WL 341631 (N.D. Ill. 1998); Slater v. Credit Sciences, Inc., 1998 WL 299803 (N.D. Ill. 1998).

7. Associates

- **Francis R. Greene** is a graduate of Johns Hopkins University (B.A., with honors, May 1984), Rutgers University (Ph.D., October 1991), and Northwestern University Law School (J.D., 2000). **Reported Cases:** Johnson v. Thomas, 342 Ill. App.3d 382, 794 N.E.2d 919 (1st Dist. 2003); Jolly v. Shapiro & Kreisman, 237 F. Supp. 2d 888 (N.D. Ill. 2002); Parker v. 1-800 Bar None, a Financial Corp., Inc. 2002 WL 215530 (N.D. Ill. 2002); Jiang v. Allstate Ins. Co. (199 F.R.D. 267); Hill v. AMOCO Oil Co. 2003 WL 262424, 2001 WL 293628 (N.D. Ill. 2003); Roquet v. Arthur Anderson LLP 2002 WL 1900768 (N.D. Ill. 2002); White v. Financial Credit, Corp. 2001 WL 1665386 (N.D. Ill.); Ransom v. Gurnee Volkswagen 2001 WL 1241297 (N.D. III. 2001) and 2002 WL 449703 (N.D. III 2002); Doxie v. Impac Funding Corp. 2002 WL 31045387 (N.D. III. 2002); Levin v. Kluever & Platt LLC 2003 WL 22757763 and 2003 WL 22757764 (N.D. Ill. 2003); Pleasant v. Risk Management Alternatives 2003 WL 22175390 (N.D. Ill. 2003); Jenkins v. Mercantile Mortgage 231 F. Supp. 2d 737 (N.D. Ill. 2002); Hobson v. Lincoln Ins. Agency, Inc. 2001 WL 55528, 2001 WL 648958 (N.D. Ill. 2001), Anderson v. Lincoln Ins. Agency 2003 WL 291928, Hobson v. Lincoln Ins. Agency 2003 WL 338161 (N.D. III. 2003); Handy v. Anchor Mortgage Corp., 464 F.3d 760 (7th Cir. 2006). He is a member of the Northern District of Illinois trial bar.
- b. Julie Clark (neé Cobolovic) is a graduate of Northern Illinois University (B.A., 1997) and DePaul University College of Law (J.D., 2000). Reported Cases: Qualkenbush v. Harris Trust & Savings Bank 219 F. Supp.2d 935 (N.D. Ill.,2002); Covington-McIntosh v. Mount Glenwood Memory Gardens 2002 WL 31369747 (N.D.I ll.,2002), 2003 WL 22359626 (N.D. Ill. 2003); Ballard Nursing Center, Inc. v. GF Healthcare Products, Inc., 2007 U.S. Dist. LEXIS 84425 (N.D. Ill. Nov. 14, 2007); Record-A-Hit, Inc. v. Nat'l. Fire Ins. Co., No. 1-07-0684, 2007 Ill. App. LEXIS 1194 (Ill. App. 1st Dist. Nov. 13, 2007).
- c. Heather A. Kolbus (neé Piccirilli) is a graduate of DePaul University (B.S. *cum laude*, 1997), and Roger Williams University School of Law (J.D., 2002). Reported Cases: Clark v. Experian Info. Solutions, Inc., 2004 U.S. Dist. LEXIS 28324 (D.S.C. Jan. 14, 2004); DeFrancesco v. First Horizon Home Loan Corp., 2006 U.S. Dist. LEXIS 80718 (S.D. Ill. Nov. 2, 2006); Jeppesen v. New Century Mortgage Corp., 2006 U.S. Dist. LEXIS 84035 (N.D. Ind. Nov. 17, 2006); Benedia v. Super Fair Cellular, Inc., 2007 U.S. Dist. LEXIS 71911 (N.D. Ill. Sept. 26, 2007).
- **d. Thomas E. Soule** is a graduate of Stanford University (B.A., 2000), and the University of Wisconsin Law School (J.D., 2003). **Reported Cases:** <u>Murray v. Sunrise Chevrolet, Inc.</u>, 441 F.Supp.2d 940 (N.D. Ill. 2006); <u>Iosello v. Leiblys, Inc.</u>, 502 F. Supp.2d 782 (N.D. Ill. 2007); <u>Claffey v. River Oaks Hyundai, Inc.</u>, 486 F. Supp.2d 776 (N.D. Ill. 2007).
- e. Cassandra P. Miller is a graduate of the University of Wisconsin Madison (B.A. 2001) and John Marshall Law School (J.D. *magna cum laude* 2006).

 Reported Cases: Pietras v. Sentry Ins. Co., 513 F. Supp.2d 983 (N.D. Ill. 2007); Hernandez v. Midland Credit Mgmt., 2007 U.S. Dist. LEXIS 16054 (N.D. Ill. Sept. 25, 2007); Balogun v. Midland Credit Mgmt., 2007 U.S. Dist. LEXIS 74845 (S.D. Ind. Oct. 5, 2007).

- **Tiffany N. Hardy** (admitted NY, DC, IL) is a graduate of f. Tuskegee University (B.A. 1998) and Syracuse University College of Law (J.D.2001).
- **Zachary Jacobs** is a graduate of the University of South Dakota (B.S. 2002) and Chicago-Kent College of Law, Illinois Institute of Technology (J.D. 2007).
- **Rupali Shah** is a graduate of the University of Chicago (B.A. 2004) and University of Illinois College of Law (J.D. 2007).
- **Michael J. Aschenbrener** is a graduate of the University of Minnesota (B.A. 2001) and the Chicago-Kent College of Law, Illinois Institute of Technology (J.D. May 2007).
 - 8. The firm also has 15 legal assistants, as well as other support staff.
- 9. Since its inception, the firm has recovered more than \$500 million for consumers.
 - 10. The types of cases handled by the firm are illustrated by the following:
- 11. Mortgage charges and servicing practices: The firm has been involved in dozens of cases, mostly class actions, complaining of illegal charges on mortgages and improper servicing practices. These include MDL-899, In re Mortgage Escrow Deposit Litigation, and MDL-1604, In re Ocwen Federal Bank FSB Mortgage Servicing Litigation, as well as the Fairbanks mortgage servicing litigation. Decisions in the firm's mortgage cases include: Christakos v. Intercounty Title Co., 196 F.R.D. 496 (N.D.Ill. 2000); Johnstone v. Bank of America, N.A., 173 F.Supp.2d 809 (N.D.Ill. 2001); Leon v. Washington Mut. Bank, F.A., 164 F.Supp.2d 1034 (N.D.Ill. 2001); Williamson v. Advanta Mortg. Corp., 1999 U.S. Dist. LEXIS 16374 (N.D.III., Oct. 5, 1999); McDonald v. Washington Mut. Bank, F.A., 2000 U.S. Dist. LEXIS 11496 (N.D.Ill., June 22, 2000); Metmor Financial, Inc. v. Eighth Judicial District Court, No. 23848 (Nev.Sup.Ct., Apr. 27, 1993); GMAC Mtge. Corp. v. Stapleton, 236 Ill.App.3d 486, 603 N.E.2d 767 (1st Dist. 1992), leave to appeal denied, 248 Ill.2d 641, 610 N.E.2d 1262 (1993); Leff v. Olympic Fed. S. & L. Ass'n, 1986 WL 10636 (N.D.Ill. 1986); Aitken v. Fleet Mtge. Corp., 1991 U.S.Dist. LEXIS 10420 (N.D.Ill. 1991), and 1992 U.S.Dist. LEXIS 1687 (N.D.Ill., Feb. 12, 1992); Poindexter v. National Mtge. Corp., 1991 U.S.Dist. LEXIS 19643 (N.D.Ill., Dec. 23, 1991), later opinion, 1995 U.S.Dist. LEXIS 5396 (N.D.III., April 24, 1995); Sanders v. Lincoln Service Corp., 1993 U.S.Dist. LEXIS 4454 (N.D.Ill. 1993); Robinson v. Empire of America Realty Credit Corp., 1991 U.S.Dist. LEXIS 2084 (N.D.Ill., Feb. 20, 1991); In re Mortgage Escrow Deposit Litigation, M.D.L. 899, 1994 U.S.Dist. LEXIS 12746 (N.D.Ill., Sept. 8, 1994); Greenberg v. Republic Federal S. & L. Ass'n, 1995 U.S.Dist. LEXIS 5866 (N.D.Ill., May 1, 1995).
- 12. The recoveries in the escrow overcharge cases alone are over \$250 million. Leff was the seminal case on mortgage escrow overcharges.

- The escrow litigation had a substantial effect on industry practices, 13. resulting in limitations on the amounts which mortgage companies held in escrow.
- **Bankruptcy:** The firm brought a number of cases complaining that money was being systematically collected on discharged debts, in some cases through the use of invalid reaffirmation agreements, including the national class actions against Sears and General Electric. Conley v. Sears, Roebuck, 1:97cv11149 (D.Mass); Fisher v. Lechmere Inc., 1:97cv3065, (N.D.Ill.). These cases were settled and resulted in recovery by nationwide classes. Cathleen Combs successfully argued the first Court of Appeals case to hold that a bankruptcy debtor induced to pay a discharged debt by means of an invalid reaffirmation agreement may sue to recover the payment. Bessette v. Avco Financial Services, 230 F.3d 439 (1st Cir. 2000).
- **Automobile sales and financing practices:** The firm has brought many **15.** cases challenging practices relating to automobile sales and financing, including:
- Hidden finance charges resulting from pass-on of discounts on auto purchases. Walker v. Wallace Auto Sales, Inc., 155 F.3d 927, 1998 U.S. App. LEXIS 22663 (7th Cir. 1998).
- b. Misrepresentation of amounts disbursed for extended warranties. Taylor v. Quality Hyundai, Inc., 150 F.3d 689, 1998 U.S.App. LEXIS 16434 (7th Cir. 1998); Grimaldi v. Webb, 282 Ill.App.3d 174, 668 N.E.2d 39 (1st Dist. 1996), leave to appeal denied, 169 Ill.2d 566 (1996); Slawson v. Currie Motors Lincoln Mercury, Inc., 1995 U.S.Dist. LEXIS 451 (N.D.Ill., Jan. 5, 1995); Cirone-Shadow v. Union Nissan, Inc., 1995 U.S.Dist. LEXIS 1379 (N.D.Ill., Feb. 3, 1995), later opinion, 1995 U.S.Dist. LEXIS 5232 (N.D.Ill., April 20, 1995) (same); Chandler v. Southwest Jeep-Eagle, Inc., 1995 U.S. Dist. LEXIS 8212 (N.D.Ill., June 8, 1995); Shields v. Lefta, Inc., 1995 U.S.Dist. LEXIS 7807 (N.D.Ill., June 5, 1995).
- Spot delivery. Janikowski v. Lynch Ford, Inc., 1999 U.S. Dist. c. LEXIS 3524 (N.D.Ill., March 11, 1999); Diaz v. Westgate Lincoln Mercury, Inc., 1994 U.S.Dist. LEXIS 16300 (N.D.Ill. 1994); Grimaldi v. Webb, 282 Ill.App.3d 174, 668 N.E.2d 39 (1st Dist. 1996), leave to appeal denied, 169 Ill.2d 566 (1996).
- d. Force placed insurance. Bermudez v. First of America Bank Champion, N.A., 860 F.Supp. 580 (N.D.Ill. 1994); Travis v. Boulevard Bank, 1994 U.S.Dist. LEXIS 14615 (N.D.Ill., Oct. 13, 1994), modified, 880 F.Supp. 1226 (N.D.Ill., 1995); Moore v. Fidelity Financial Services, Inc., 884 F. Supp. 288 (N.D.III. 1995).
- Improper obligation of cosigners. Lee v. Nationwide Cassell, 174 e. Ill.2d 540, 675 N.E.2d 599 (1996); <u>Taylor v. Trans Acceptance Corp.</u>, 267 Ill.App.3d 562, 641 N.E.2d 907 (1st Dist. 1994), leave to appeal denied, 159 Ill.2d 581, 647 N.E.2d 1017 (1995).
- Evasion of FTC holder rule. Brown v. LaSalle Northwest Nat'l Bank, 148 F.R.D. 584 (N.D.III. 1993), 820 F.Supp. 1078 (N.D.III. 1993), and 1993 U.S.Dist.

LEXIS 11419 (N.D.Ill., Aug. 13, 1993).

- 16. These cases also had a substantial effect on industry practices. The warranty cases, such as <u>Grimaldi</u>, <u>Gibson</u>, <u>Slawson</u>, <u>Cirone-Shadow</u>, <u>Chandler</u>, and <u>Shields</u>, resulted in the Federal Reserve Board's revision of applicable disclosure requirements, so as to prevent car dealers from representing that the charge for an extended warranty was being disbursed to a third party when that was not in fact the case.
- **17. Predatory lending practices:** The firm has brought numerous cases challenging predatory mortgage and "payday" lending practices, mostly as class actions. Livingston v. Fast Cash USA, Inc., 753 N.E.2d 572 (Ind. Sup. Ct. 2001); Williams v. Chartwell Fin. Servs., 204 F.3d 748 (7th Cir. 2000); Parker v. 1-800 Bar None, a Financial Corp., Inc., 01 C 4488, 2002 WL 215530 (N.D.Ill., Feb 12, 2002); Gilkey v. Central Clearing Co., 202 F.R.D. 515 (E.D.Mich. 2001); Van Jackson v. Check 'N Go of Ill., Inc., 114 F.Supp.2d 731 (N.D.Ill. 2000), later opinion, 193 F.R.D. 544 (N.D.Ill. 2000), 123 F.Supp. 2d 1079 (N.D.Ill. 2000), later opinion, 123 F.Supp. 2d 1085 (N.D.Ill. 2000); Henry v. Cash Today, Inc., 199 F.R.D. 566 (S.D.Tex. 2000); Donnelly v. Illini Cash Advance, Inc., 00 C 94, 2000 WL 1161076, 2000 U.S. Dist. LEXIS 11906 (N.D.Ill., Aug. 14, 2000); Jones v. Kunin, 2000 U.S. Dist. LEXIS 6380 (S.D.III., May 1, 2000); <u>Davis v. Cash for Payday</u>, 193 F.R.D. 518 (N.D.III. 2000); <u>Reese v.</u> Hammer Fin. Corp., 99 C 716, 1999 U.S. Dist. LEXIS 18812, 1999 WL 1101677 (N.D.Ill., Nov. 29, 1999); Pinkett v. Moolah Loan Co., 1999 U.S. Dist. LEXIS 17276 (N.D.Ill., Nov. 1, 1999); Gutierrez v. Devon Fin. Servs., 1999 U.S. Dist. LEXIS 18696 (N.D.Ill., Oct. 6, 1999); Vance v. National Benefit Ass'n, 99 C 2627, 1999 WL 731764, 1999 U.S. Dist. LEXIS 13846 (N.D.Ill., Aug. 26, 1999).
- 18. Other consumer credit issues: The firm has also brought a number of other Truth in Lending and consumer credit cases, mostly as class actions, involving such issues as:
- **a.** Phony nonfiling insurance. Edwards v. Your Credit Inc., 148 F.3d 427, 1998 U.S. App. LEXIS 16818 (5th Cir. 1998); Adams v. Plaza Finance Co., 1999 U.S. App. LEXIS 1052 (7th Cir., January 27, 1999); Johnson v. Aronson Furniture Co., 1997 U.S. Dist. LEXIS 3979 (N.D. Ill., March 31, 1997).
- **b.** The McCarran Ferguson Act exemption. <u>Autry v. Northwest</u> <u>Premium Services, Inc.</u>, 144 F.3d 1037, 1998 U.S. App. LEXIS 9564 (7th Cir. 1998).
- **c.** Loan flipping. <u>Emery v. American General</u>, 71 F.3d 1343 (7th Cir. 1995). <u>Emery limited the pernicious practice of "loan flipping," in which consumers are solicited for new loans and are then refinanced, with "short" credits for unearned finance charges and insurance premiums being given through use of the "Rule of 78s."</u>
- **d.** Home improvement financing practices. <u>Fidelity Financial</u> <u>Services, Inc. v. Hicks</u>, 214 Ill.App.3d 398, 574 N.E.2d 15 (1st Dist. 1991), leave to appeal

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denied, 141 Ill.2d 539, 580 N.E.2d 112; Heastie v. Community Bank of Greater Peoria, 690 F.Supp. 716 (N.D.III. 1989), later opinion, 125 F.R.D. 669 (N.D.III. 1990), later opinions, 727 F.Supp. 1133 (N.D.Ill. 1990), and 727 F.Supp. 1140 (N.D.Ill. 1990). Heastie granted certification of a class of over 6,000 in a home improvement fraud case.

- Arbitration clauses. Wrightson v. ITT Financial Services, 617 e. So.2d 334 (Fla. 1st DCA 1993).
- f. Insurance packing. Elliott v. ITT Corp., 764 F.Supp. 102 (N.D.Ill. 1990), later opinion, 150 B.R. 36 (N.D.III. 1992).
- **19. Automobile leases:** The firm has brought a number of a cases alleging illegal charges and improper disclosures on automobile leases, mainly as class actions. Decisions in these cases include <u>Lundquist v. Security Pacific Automotive Financial Services</u> Corp., Civ. No. 5:91-754 (TGFD) (D.Conn.), aff'd, 993 F.2d 11 (2d Cir. 1993); Kedziora v. Citicorp Nat'l Services, Inc., 780 F.Supp. 516 (N.D.Ill. 1991), later opinion, 844 F.Supp. 1289 (N.D.Ill. 1994), later opinion, 883 F.Supp. 1144 (N.D.Ill. 1995), later opinion, 1995 U.S.Dist. LEXIS 12137 (N.D.Ill., Aug. 18, 1995), later opinion, 1995 U.S.Dist. LEXIS 14054 (N.D.Ill., Sept. 25, 1995); Johnson v. Steven Sims Subaru and Subaru Leasing, 1993 U.S.Dist. LEXIS 8078 (N.D.III., June 9, 1993), and 1993 U.S.Dist. LEXIS 11694 (N.D.III., August 20, 1993); McCarthy v. PNC Credit Corp., 1992 U.S.Dist. LEXIS 21719 (D.Conn., May 27, 1992); Kinsella v. Midland Credit Mgmt., Inc., 1992 U.S.Dist. LEXIS 1405, 1992 WL 26908 (N.D.Ill. 1992); Highsmith v. Chrysler Credit Corp., 18 F.3d 434 (7th Cir. 1994); Black v. Mitsubishi Motors Credit of America, Inc., 1994 U.S.Dist. LEXIS 11158 (N.D.Ill., August 10, 1994); Simon v. World Omni Leasing Inc., 146 F.R.D. 197 (S.D.Ala. 1992). Settlements in such cases include Shepherd v. Volvo Finance North America, Inc., 1-93-CV-971 (N.D.Ga.)(\$8 million benefit); McCarthy v. PNC Credit Corp., 291 CV 00854 PCD (D.Conn.); Lynch Leasing Co. v. Moore, 90 CH 876 (Circuit Court of Cook County, Illinois) (class in auto lease case was certified for litigation purposes, partial summary judgment was entered, and case was then settled); Blank v. Nissan Motor Acceptance Corp., 91 L 8516 (Circuit Court of Cook County, Illinois); Mortimer v. Toyota Motor Credit Co., 91 L 18043 (Circuit Court of Cook County, Illinois); Duffy v. Security Pacific Automotive Financial Services, Inc., 93-729 IEG (BTM) (S.D.Cal., April 28, 1994).
- 20. <u>Lundquist</u> and <u>Highsmith</u> are leading cases; both held that commonly-used lease forms violated the Consumer Leasing Act. As a result of the Lundquist case, the Federal Reserve Board completely revamped the disclosure requirements applicable to auto leases, resulting in vastly improved disclosures to consumers.
- **Collection practices:** The firm has brought a number of cases under the Fair Debt Collection Practices Act, both class and individual. Decisions in these cases include: Jenkins v. Heintz, 25 F.3d 536 (7th Cir. 1994), aff'd 115 S.Ct. 1489, 131 L.Ed.2d 395 (1995); Johnson v. Revenue Management Corp., 169 F.3d 1057, 1999 U.S. App. LEXIS 3142 (7th Cir. 1999); Keele v. Wexler & Wexler, 1996 U.S.Dist. LEXIS 3253 (N.D.Ill., March 18, 1996)

(class), 1995 U.S.Dist. LEXIS 13215 (N.D.Ill. 1995) (merits), aff'd, 149 F.3d 589, 1998 U.S.App. LEXIS 15029 (7th Cir. 1998); Mace v. Van Ru Credit Corp., 109 F.3d 338, 1997 U.S.App. LEXIS 5000 (7th Cir., Mar. 17, 1997); Maguire v. Citicorp Retail Services, Inc., 147 F.3d 232, 1998 U.S.App. LEXIS 16112 (2d Cir. 1998); Young v. Citicorp Retail Services, Inc., 1998 U.S.App. LEXIS 20268 (2d Cir. 1998); Charles v. Lundgren & Assocs., P.C., 119 F.3d 739, 1997 U.S. App. LEXIS 16786 (9th Cir. 1997); Avila v. Rubin, 84 F.3d 222 (7th Cir. 1996), aff'g Avila v. Van Ru Credit Corp., 1995 U.S.Dist. LEXIS 461 (N.D.Ill., Jan. 10, 1995), later opinion, 1995 U.S.Dist. LEXIS 1502 (N.D.Ill., Feb. 6, 1995), later opinion, 1995 U.S.Dist. LEXIS 17117 (N.D.Ill., Nov. 14, 1995); Tolentino v. Friedman, 833 F.Supp. 697 (N.D.Ill. 1993), aff'd in part and rev'd in part, 46 F.3d 645 (7th Cir. 1995); Blakemore v. Pekav. 895 F.Supp.972 (N.D.Ill. 1995); Oglesby v. Rotche, 1993 U.S.Dist. LEXIS 15687 (N.D.Ill., Nov. 4, 1993), later opinion, 1994 U.S.Dist. LEXIS 4866 (N.D.Ill., April 15, 1994); Laws v. Cheslock, 1999 U.S.Dist. LEXIS 3416 (N.D.III., Mar. 8, 1999); Davis v. Commercial Check Control, Inc., 1999 U.S. Dist. LEXIS 1682 (N.D.Ill., Feb. 12, 1999); Hoffman v. Partners in Collections, Inc., 1993 U.S.Dist. LEXIS 12702 (N.D.Ill., Sept. 15, 1993); Vaughn v. CSC Credit Services, Inc., 1994 U.S.Dist. LEXIS 2172 (N.D.III., March 1, 1994), adopted, 1995 U.S.Dist. LEXIS 1358 (N.D.Ill., Feb. 3, 1995); Beasley v. Blatt, 1994 U.S.Dist. LEXIS 9383 (N.D.Ill., July 14, 1994); Taylor v. Fink, 1994 U.S.Dist. LEXIS 16821 (N.D.Ill., Nov. 23, 1994); Gordon v. Fink, 1995 U.S.Dist. LEXIS 1509 (N.D.Ill., Feb. 7, 1995); Brujis v. Shaw, 876 F.Supp. 198 (N.D.Ill. 1995). Settlements in such cases include Boddie v. Meyer, 93 C 2975 (N.D.Ill.); and Cramer v. First of America Bank Corporation, 93 C 3189 (N.D.III.).

- 22. Jenkins v. Heintz is a leading decision regarding the liability of attorneys under the Fair Debt Collection Practices Act. I argued it before the Supreme Court and Seventh Circuit. Avila v. Rubin is a leading decision on phony "attorney letters."
- 23. Fair Credit Reporting Act: The firm has filed numerous cases under the Fair Credit Reporting Act, primarily as class actions. One line of cases alleges that lenders and automotive dealers, among others, improperly accessed consumers' credit information, without their consent and without having a purpose for doing so permitted by the FCRA. Important decisions in this area include: Cole v. U.S. Capital, Inc., 389 F.3d 719 (7th Cir. 2004), Murray v. GMAC Mortgage Corp., 434 F.3d 948 (7th Cir. 2006); Perry v. First National Bank, 459 F.3d 816 (7th Cir. 2006); Murray v. Sunrise Chevrolet, Inc., 441 F. Supp.2d 940 (N.D. Ill. 2006); Murray v. GMAC Mortgage Corp., 05 C 1229, _____ F.Supp.2d _____, 2007 U.S. Dist. LEXIS 26726 (N.D.Ill. April 10, 2007); Shellman v. Countrywide Home Loans, Inc., 1:05-CV-234-TS, 2007 U.S. Dist. LEXIS 27491 (N.D.Ind., April 12, 2007); In re Ocean Bank, 06 C 3515, 2007 U.S. Dist. LEXIS 28973 (N.D.Ill., March 16, 2007), later opinion, 2007 U.S. Dist. LEXIS 29443 (N.D. Ill., Apr. 9, 2007); Asbury v. People's Choice Home Loan, Inc., 05 C 5483, 2007 U.S. Dist. LEXIS 17654 (N.D.Ill., March 12, 2007); Claffey v. River Oaks Hyundai, Inc., 238 F.R.D. 464 (N.D.Ill. 2006); Murray v. IndyMac Bank, FSB, 461 F.Supp.2d 645 (N.D.Ill. 2006); Kudlicki v. Capital One Auto Finance, Inc., 2006 U.S. Dist. LEXIS 81103 (N.D. Ill., Nov. 2, 2006); Thomas v. Capital One Auto Finance, Inc., 2006 U.S. Dist. LEXIS 81358 (N.D. Ill., Oct. 24, 2006); Pavone v. Aegis Lending Corp., 2006 U.S. Dist. LEXIS 62157 (N.D. Ill., Aug. 31, 2006); Murray v. E*Trade Financial Corp., 2006 U.S. Dist. LEXIS 53945 (N.D. Ill., July 19,

2006); Bonner v. Home 123 Corp., 2006 U.S. Dist. LEXIS 37922 (N.D. Ind., May 25, 2006); Murray v. Sunrise Chevrolet, Inc., 2006 U.S. Dist. LEXIS 19626 (N.D. Ill., Mar. 30, 2006); and Murray v. Finance America, LLC, 2006 U.S. Dist. LEXIS 7349 (N.D. Ill., Jan 5, 2006). More than 15 such cases have been settled on a classwide basis.

- 24. **Class action procedure:** Important decisions include Crawford v. Equifax Payment Services, Inc., 201 F.3d 877 (7th Cir. 2000); Blair v. Equifax Check Services, Inc., 181 F.3d 832 (7th Cir. 1999); Mace v. Van Ru Credit Corp., 109 F.3d 338, 344 (7th Cir. 1997); and Gordon v. Boden, 224 Ill.App.3d 195, 586 N.E.2d 461 (1st Dist. 1991).
- Landlord-tenant: The firm has brought a number of class actions against 25. landlords for various matters including failing to pay interest on security deposits or commingling security deposits, breach of the warranty of habitability, improper late charges, and various violations of the CRLTO. Reported decisions include: Wang v. Williams, 343 Ill. App. 3d 495; 797 N.E.2d 179 (5th Dist. 2003); Onni v. Apartment Management and Investment Co., 344 Ill. App. 3d 1099; 801 N.E.2d 586 (2d Dist. 2003) (case challenging improper late charges, which later settled on a class basis for \$200,000); Dickson v. West Koke Mill Village P'Ship, 329 Ill.App.3d 341 (4th Dist. 2002). Illustrative cases include: Hale v. East Lake Management & Developmental Corp., et al., 00 CH 16139, in the Cook County Circuit Court, Judge Madden granted class certification for tenants who had not been paid their security deposit interest after the end of each twelve month rental period. The East Lake case later settled on a classwide basis for over \$400,000.
- **26.** Some of the other reported decisions in our cases include: Elder v. Coronet Ins. Co., 201 Ill.App.3d 733, 558 N.E.2d 1312 (1st Dist. 1990); Smith v. Keycorp Mtge., Inc., 151 Bankr. 870 (N.D.Ill. 1992); Gordon v. Boden, 224 Ill.App.3d 195, 586 N.E.2d 461 (1st Dist. 1991), leave to appeal denied, 144 Ill.2d 633, 591 N.E.2d 21, cert. denied, U.S. (1992); Armstrong v. Edelson, 718 F.Supp. 1372 (N.D.III. 1989); Newman v. 1st 1440 Investment, Inc., 1993 U.S.Dist. LEXIS 354 (N.D.Ill. 1993); Mountain States Tel. & Tel. Co. v. District Court, 778 P.2d 667 (Colo. 1989); Disher v. Fulgoni, 124 Ill.App.3d 257, 464 N.E.2d 639, 643 (1st Dist. 1984); Harman v. Lyphomed, Inc., 122 F.R.D. 522 (N.D.Ill. 1988); Haslam v. Lefta, Inc., 1992 U.S.Dist. LEXIS 3623 (N.D.Ill., March 25, 1994); Source One Mortgage Services Corp. v. Jones, 1994 U.S.Dist. LEXIS 333 (N.D.III., Jan. 13, 1994).
- 27. Gordon v. Boden is the first decision approving "fluid recovery" in an Illinois class action. Elder v. Coronet Insurance held that an insurance company's reliance on lie detectors to process claims was an unfair and deceptive trade practice.

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